

PREFACE.

THE Assembly of the League of Nations at its fourth session, in September 1923, passed the following resolution:—"The Assembly urges the Governments of the States Members to arrange that the children and youth in their respective countries where such teaching is not given be made aware of the existence and aims of the League of Nations and the terms of its Covenant."

Up to the present there has not been published, for teachers and students of Intermediate Colleges and Secondary Schools in India, any treatise explaining the aims and achievements of the League of Nations. This manual endeavours to show (*a*) why the League was formed, (*b*) what it has actually done during the first six years of its existence, and (*c*) what are its possibilities and limitations. The authors cherish the hope that it will be found useful and serve as a basis from which the students in Secondary Schools and Intermediate Colleges in India may be instructed in one of the most important developments of the modern world. The style has therefore been made as simple as possible, though at the same time it has been found impossible to avoid the use of certain technical terms. If teachers, however, will make a point of giving a careful explanation of each technical term as it occurs, the student will soon become acquainted with a vocabulary of

THE LEAGUE OF NATIONS

A Manual for the use of University Students
and teachers of Secondary Schools in India,
Burma and Ceylon

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BY

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terms indispensable to the study of international relations.

The book presupposes some knowledge of history on the part of the reader. The teacher should equip himself with the requisite historical knowledge to explain or enlarge upon any historical fact met with in studying this subject. Adequate information regarding historical points alluded to in the text may be gained from books mentioned in the Appendix.

In studying the work of the League a knowledge of geography is a further essential. Parts of this manual will be found useful bases for geography lessons. The teacher will find in it all kinds of geographical exercises. The extent of the world's surface covered by the territories of the States, Members of the League, and the proportion of their united population to the total population of the world may be worked out. International waterways and their economic importance will form the subject of many useful geographical exercises. It will be useful for the students to find out what countries have to make use of "transport in transit" for their merchandise (see Chapter IV), and what classes of goods they trade in. These are but a few examples of possible and valuable correlation between League of Nations studies and geography. The enterprising teacher will be able to work out many more for himself and his class.

The authors are deeply grateful to Mr. E. F. Oaten, Director of Public Instruction (Bengal),

and to Mr. F. E. James, General Secretary of the Calcutta Young Men's Christian Association and Representative in India of the Information Section of the League of Nations at Geneva, for giving many helpful suggestions as a result of their thorough reading of the manuscript of this book. Without the help of Mr. James it would not have been possible to get the most up-to-date information about the League affairs. His criticisms and suggestions, therefore, have been extremely valuable. In a slightly different form some of the sections have already appeared as articles from the pen of one of the authors in *Young Men of India* and in *Welfare*; and for permission to reprint them the authors are indebted to the courtesy and kindness of the editors concerned.

The authors earnestly hope that this small volume may stimulate readers not only to acquire further knowledge about the League of Nations, but to take a deep and lasting interest in its future progress. The League cannot hope to solve the intricate problem of international relations unless it is backed up by an educated sympathetic public opinion in every quarter of the globe. If humanity is to progress beyond the stage of war, bloodshed, and brute force to something better based upon reason, understanding and goodwill, it can only do so by the co-operation of all nations. India of the future must play her part in this great movement. But first she must understand it. She must make its ideals her ideals. She must

range herself shoulder to shoulder with those nations who are learning how to co-operate for the promotion of all that is best in life.

For the attainment of this ideal, knowledge is the first requisite. Ignorance is the greatest enemy to progress, the greatest promoter of wars, the chief cause of distress and unhappiness in the world. Strive therefore to know something about the League of Nations and the problems that it seeks to solve. Spread your information as widely as possible. You will thereby be helping to spread peace, understanding and goodwill among nations.

Calcutta, }
February, 1926. }

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PREFACE TO THE SECOND EDITION.

THE authors are glad to find that there is a growing demand for a hand-book on the League of Nations. This has been amply proved by the sale of the First Edition of the book in about a year's time from its publication. In the preparation of the Second Edition some alterations have been made in the text. These were necessary on account of the admission of Germany into the League in September 1926. The whole work has undergone revision;—the defects in the First Edition have been removed, the bibliography has been enlarged, maps have been redrawn and a full text of the Covenant has been added as an Appendix. The Assembly of the League at its seventh session in September 1926 accepted the following recommendation of the Committee on Intellectual Co-operation:—"The competent authorities in each country should take steps that teachers should be provided with a copy of the Covenant and International Charter of Labour with short explanations and concise bibliography." It is therefore hoped that the addition of the full text of the Covenant as an Appendix to this book will enhance its usefulness and purpose.

Calcutta, |
July, 1927. |

J. M. SEN.
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CHAPTER I

THE PROBLEM OF INTERNATIONAL RELATIONS

ONE of the greatest problems that has grown up with the development of civilised states in the world is that of the regulation of dealings between them in such a way as to promote the general peace and welfare of mankind. It is a very difficult problem, partly because it is a complicated one, and partly because of the selfishness and greed displayed by most nations in their relations with one another. Up to the present all attempts to solve it have failed. Recently, however, a new factor has emerged which has made it more than ever necessary for the states of the world to evolve some really adequate method of regulating their relations with each other. The striking developments of science during the last century and a half have made man master over the forces of nature to a degree previously undreamt of. But, at the same time, the application of the principles of science to methods of warfare has so increased their frightfulness and devastation that if war is allowed to continue not only will

civilisation be wrecked, but the existence of the human race itself will be threatened.

Such is the problem that now faces us all. What we do with regard to it will have results affecting the whole future progress of civilisation. If we fail to solve it, then poison gas, aerial bombs, new and more deadly explosives, and similar horrors may decide the question of the fate of humanity for us.

Before we come to consider the way in which the League of Nations is attempting to grapple with this huge problem, we must first understand something about the way it has presented itself in the past and the methods that have been employed to deal with it. No man can hope to solve any real problem of life unless he first makes a thorough attempt to understand it. A knowledge of the past is therefore essential.

History shows us that the earliest human communities possessed hardly any organisation at all. Man began with a food-collecting state of forest life, in which war was quite unknown. War slowly came out as a by-product of the civilisation ushered in by the invention of food-production. Quarrels and feuds soon became frequent; the strong oppressed the weak; and although custom

imposed certain checks upon men, force really predominated. Gradually, however, bigger and stronger communities came into being. Sometimes several villages would join together to form a city-state as in ancient Greece. Sometimes a strong leader would enforce obedience to his rule over a wider area, until by uniting various clans or tribes he would create a "nation." In these and other ways men began to form bigger communities in which in course of time systems of law were built up and enforced and the relations of man with man placed under the supreme control of what we may now call "the state."

All this took a long time to achieve. Its progress was not uniform. Different peoples progressed at different rates. When the earliest organised states appeared in ancient India and China we have no record of similar institutions in Great Britain. Organised states appeared in Egypt and the Eastern Mediterranean regions long before they appeared in India and China. From the Eastern Mediterranean regions they spread further west, chiefly through the colonising activities of the Phœnicians and the Greeks. After the collapse of Alexander the Great's

Empire, the city of Rome built up the most highly organised state that had up to that time been seen. Rome extended her power over hundreds of tribes and other local units from North Britain to the Euphrates and from the Rhine to the great Sahara desert, and slowly built up the most wonderful system of law that the world has yet seen.

Thus Rome solved the problem of the international relations of the peoples around the Mediterranean basin and of many beyond it, by imposing upon them an imperial system. But her dominion was based ultimately upon force. Had she been able to conquer and dominate the whole world, she might have welded the peoples of the world into a single state, in which the relations of the various parts with each other would have been regulated in the interests of all by the central government. But such an ideal was impossible of attainment. In the first place, as history shows us, dominion based upon force has always failed in the end. In the second place Rome could conquer only a very small fraction of the total surface of the world, and even that territory was more than she could properly manage. As her Empire expanded, its organisation became weaker, while at the

same time its defence became more and more precarious, until finally the whole western portion crumpled up before the attacks of the Teutonic nations.

Rome gave to the world an imperial idea,—the idea of a universal sovereignty controlling all the various peoples and states of the world and regulating their relationships one with the other. After the fall of the Roman Empire in the West this idea still survived, especially in the Roman Church, which strove to follow in the steps of the old Empire and revive its world-wide dominion. Thinking men felt that only under the ægis of a great world-wide authority could peace and civilisation be attained. That is why in 800 A. D. the Roman Empire was revived by Charles the Great, the King of the Franks.

This “Holy Roman Empire,” as Charles’ Empire was called, proved a pitiable failure. No system of imperial administration was evolved, nor was a general body of law promulgated, except in religious matters. The religious organisation, headed by the Pope of Rome, carried on a bitter and ceaseless struggle with the secular government presided over by the Emperor. Under

the stress of this conflict the central government completely broke down, and each locality was left to look after its own defence, administration and justice. Although the Holy Roman Empire perished, the Historic Catholic Church survived.

Possibly the greatest difficulty which prevented the success of the Roman imperial idea in the middle ages in Europe was that when the Teutonic barbarians broke into the Roman Empire, their organisation was very primitive, and their minds entirely barbaric. When they settled down, each man's outlook was bounded by the little piece of territory upon which he lived and moved. Men were local-minded; their minds could not grasp anything wider than their immediate surroundings. So feudal society grew up all over Western Europe. Each locality came under the dominance of a territorial lord of whom all men held their land, and to whom all paid service and obedience. Against this system the Holy Roman Empire was powerless. Territorial lords carried on war with each other to their hearts' content, checked only by the spasmodic efforts of the

Church, the Emperor, or some greater territorial lord or king who rose above the rest and imposed some sort of order amidst chaos. In theory the world was a single state ruled by Pope and Emperor as the representatives of God upon earth. In actual fact the lords of each small locality were independent princes.

But a new factor began to appear. As the greater territorial lords slowly extended their power over the smaller lords, national kingdoms came into existence. Thus, to make England our example, while at first we have numberless tribes of Angles, Saxons and Jutes under petty "kings," these are gradually amalgamated to form larger kingdoms until we have the three great kingdoms of Northumbria, Mercia and Wessex. These in turn are finally merged into the kingdom of England. It was a long process and very complicated, and at first the national king was powerless compared with the great territorial lords. But, little by little, as men's consciousness expanded and their interests became less intensely local, their imagination was caught by the national idea, and their allegiance was attracted to the national king. So at the end of the Middle Ages in Europe both the Holy

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Roman Empire and narrow feudalism were pushed into the background by the national state. Portugal, Spain, France, England, Scotland and the Scandinavian countries were organised as national states independent of imperial control—in fact independent of any control whatsoever.

Before proceeding further there is one very important point to be mentioned. In the earlier stages of the world's history before the great movement of ideas and geographical discovery known as the *Renaissance* in Europe, communications between one part of the world and another were of a primitive type. There were of course the great caravan routes overland and there were also certain well-known sea routes. But all travel was slow, dangerous, and limited by great physical difficulties. International relations therefore could not grow up on a big scale for lack of adequate means of communication. Countries carried on comparatively little foreign trade. In fact it is almost impossible for us at the present day to realise how isolated one country or even one locality was from others. In Western Europe in the Middle Ages while one village had an abundant harvest, another only a few miles away might be suffering

from starvation and neither be aware of the condition of the other. International relations were so comparatively unimportant that not until the 16th century A. D. did the practice of sending resident ambassadors to foreign countries grow up. England appointed her first Consul to a foreign port (an Italian one) in the reign of Henry VII (1485—1509).

This difficulty of communication also limited the size of states. The ancient Persian Empire developed a certain system of communications. But these were inadequate. Each great province of the Empire was practically independent under its Governor. The central government had, from the modern point of view, hardly any effective power outside its immediate neighbourhood. The same may be said of Alexander the Great's empire. Without adequate communications the central government could not effectively control the outlying portions of the empire. The Romans keenly realised this fact. Their central government had far greater power than any previous one because of their splendid system of inland and sea communications. The Roman roads are still the wonder of the world.

But the expansion of the Roman Empire was so great that ultimately its system of communications, wonderful though they were, became inadequate. This weakness was one of the causes of Rome's downfall. From that time onwards communications remained so difficult as most effectively to bar the development of intercourse on a large scale between distant states. The Western Europeans who travelled to India or further East during the Middle Ages could almost be counted upon the fingers of one's hands. The Holy Roman Empire could never be more than a mental illusion, since so far from building up an adequate system of communications, it could not even revive or repair the remnants of the old Roman ones.

The modern national state, which began its evolution out of the wrecks of the Holy Roman Empire and feudalism, has from the outset taken as much interest in the outside world as it has in its own internal affairs. The early national states, particularly Portugal, Spain, England, France and the Dutch, were intensely interested in overseas exploration and expansion. They therefore set themselves the task of developing a type of ship

capable of ocean voyages of long duration. As a result, they were able to carve out for themselves overseas empires based upon sea power.

The process, however, was accompanied by a series of bitter rivalries and jealousies which constantly endangered the peace of Europe and stimulated national wars of a particular intensity. First Spain and Portugal tried to prevent the other nations from trading in the newly discovered regions; then, when the English, the French, and the Dutch had broken down the Portugo-Spanish monopoly, the victors themselves began to fly at one another's throats. Finally England emerged supreme. It is interesting to note that one of the chief causes of England's success in this struggle for supremacy was her superiority over her rivals in building and navigating the new type of ships.

The prevailing idea in the modern state seems to have been that of expansion. Macchiavelli, a Florentine diplomatist who wrote on political science at the beginning of the 16th century, laid it down as the first principle of statecraft that a state must expand or be ruined. According to Macchiavelli, states are not bound by any

considerations of morality in their dealings with one another. Expediency is their sole guide. If it is to the interest of a state to break its promises, to encroach upon a peaceable neighbour, or carry out any piece of political brigandage, then moral considerations should not hinder it from the pursuit of such a policy.

When Macchiavelli wrote after this fashion he was simply summing up what he noticed to be the methods adopted by states in his own day in their relations one with another. For nearly three centuries after his death the policy of states in their international relationships remained fundamentally of the sort described by him. The only theory regulating them was what is known as "the Balance of Power." According to this idea no European state was to be allowed to become so powerful as to endanger the safety of the others. Around this idea European diplomacy grew up in the period from 1500 to 1914. Any state whose power threatened European peace was to be faced by a combination of states determined to prevent it from carrying out an aggressive policy.

The "Balance of Power" theory was a rough and ready attempt to prevent wars. It

was rarely successful in preventing small wars, never in preventing great ones.

In the 17th and 18th centuries Europe was a series of armed camps, each country regarding the other with feelings of suspicion, jealousy, or actual hostility. No real attempt was made to go to the root of the matter; to remove the causes of hostility by international co-operation.

Just before the close of the 18th century Napoleon, at the head of a rejuvenated France, burst like a bomb-shell upon the startled Western world. After a dazzling series of conquests he became for a time all-powerful upon the continent of Europe. But his foolish interference with the internal affairs of the peoples he conquered roused national sentiment in Europe against him to such a pitch that his mighty Empire fell with amazing rapidity.

In defeating Napoleon the states of Europe had to develop the arts of international co-operation to a degree never attained before. At the end of the war this bore fruit in the first serious attempt made to maintain the peace of Europe by means of international co-operation. The chief European states bound themselves to submit to an international

congress all matters likely to affect the peace of Europe, and to take common action against all peace-breakers. This was known as the "Concert of Europe." Unfortunately this method was chiefly employed to stamp out nationalist or reforming movements in states tyrannically ruled. It became largely an instrument for strengthening the power of autocratic governments over their subjects. Great Britain, therefore, by refusing to co-operate in such measures, and by supporting the reforming and national movements in Europe, was largely responsible for breaking up the "concert," although she was the most peaceably inclined of all the powers composing it.

But the idea of settling disputes by means of conferences of the European powers had come to stay. During the 19th century it was resorted to on an increasing number of occasions, on several of which the danger of a serious European war was averted. It is one of the most striking facts of modern history that the great work of the partition and opening up of tropical Africa by the European nations in the eighties of the last century was carried out peaceably as the result of a conference of the European powers

at Berlin, in 1884. At any earlier stage of history this would have been impossible, and as in the case of America, European appropriation of African territory would have caused many bloody wars.

International conferences have been employed not only to settle particular disputes but also for the framing of general principles or rules of conduct which the various European states have agreed to observe in their dealings with one another. These have gradually gone to form a great body of customs and rules that are dignified by the title "International Law." Possibly the earliest international agreement of this kind was made by the European states who signed the Treaty of Westphalia at the conclusion of the terrible Thirty Years War in 1648. By this they proclaimed that all states were equally independent and sovereign in their own territories. Since that day every great conference of powers has added something to international law by agreements regarding such things as guarantees of the integrity of dominions to certain powers, the treatment of neutral powers in time of war, the rules of civilised warfare, the treatment of aliens, and so on.

The development of "International Law" has done much to improve the relations between states, but as a method of preventing war it has failed. Why is this so? In the first place it is not a clear concise body of law; it is only law in the making. Some point has always cropped up which international law was unable to solve because of being either inadequate or too indefinite. Had international law been sufficiently definite on the subject of the rights of neutrals in 1812 England and America would never have gone to war at that time. Then, too, there has never been any effective method of enforcing obedience to international law. As a cynical observer remarked during the Great War, "international laws seem to have been made simply for the sake of being broken." This remark referred particularly to the rules of civilised warfare which constitute the greater part of international law, and which by their very existence show how useless it is as a preventive of war. Any system for preserving peace in the world must be based upon the view that war itself is uncivilised. "Civilised warfare" is a contradiction in terms.

Another method employed by states in order to prevent war has been that of international arbitration. By this method two nations engaged upon a dispute have referred it to some special commission which has listened to the evidence and decided the case on its merits. Sometimes two nations have made what is called an "arbitration treaty" whereby they have promised to refer all possible disputes of a certain type to arbitration. The first case of this sort occurred in 1794 when in a treaty between Great Britain and America, known as the Jay Treaty, both countries agreed to refer all disputes concerning the boundary between Canada and the United States to a board of arbitrators appointed jointly by both powers.

As the 19th century progressed the number of disputes referred to arbitration increased in number from eight in the period 1820—1840 to ninety in the period 1880—1900. It is interesting to note that Great Britain and the United States made greater use of this method than any other powers. In the famous case known as the "*Alabama* case" these two countries, by resorting to arbitration, saved themselves from a position which could only have resulted in an outbreak of war between

them. Great Britain also, by accepting the award of the arbitrators, which was grossly unfair to her, set a high example to the world of self-restraint in the interests of peace.

At the end of the 19th century, therefore, there was a growing tendency for European nations to resort to peaceful settlement of disputes. Many people thought that the time was ripe to establish some more permanent Court of Arbitration in order that resort to this form of settlement might be made easier. So in 1899 at the invitation of the Tsar of Russia twenty-six states sent their representatives to the first great Peace Conference at the Hague in Holland. When this conference set up a permanent Court of Arbitration and drew up a body of rules to be observed in cases of arbitration, optimists were tempted to believe that a new era had dawned in the history of civilisation. Only the clear-headed realised that resort to arbitration being optional, no power on earth could force states against their will to settle their disputes in this way.

The first Hague Conference in setting up the permanent Court of Arbitration performed a notable achievement. But in

another important matter—the question of the reduction of armaments—its failure was conspicuous. No agreement could be reached. During the previous thirty years almost all the nations of Europe had been indulging in imperialistic ventures in Africa, the Pacific or the Far East. This movement of expansion had caused intense colonial rivalry among them which, coming at a time when the spread of the Industrial Revolution was causing acute commercial competition between nations, bred bitter ill-feeling and jealousy. The result was a development of militarism on a scale hitherto undreamt of. Germany led the way in this. Prussia had forcibly united the States of Germany into a national empire in the period previous to 1870. By the sword she had accomplished it, and by the sword she had successively destroyed all her rivals. She therefore believed in force. Having given hard blows to other peoples, particularly France, she dreaded their vengeance. Accordingly she had built up a military system greater and more efficient than the world had ever seen. At the first Hague Conference mutual suspicions were so strong that no power dared undertake to reduce its armaments.

Germany's attitude in particular prevented anything from being done in this matter. So there grew up in Europe at the beginning of this present century what we have now named the "armed peace." Nearly every European state was feverishly doing its utmost to strengthen its military power. The burden of armaments was intolerable; thinking people realised that things had gone so far that the choice lay between two alternatives—disarmament or war.

A second peace conference at the Hague in 1907 proposed that all nations should agree to sign a general arbitration treaty promising to submit all their disputes to the Hague Tribunal. This, however, was wrecked by the German and Austrian representatives who voted against all the proposals made at the conference. We need not trace the steps whereby the Great War was actually brought about. They gave the clearest proof of the weakness of all the various methods for maintaining peace that had up to that time been devised. Germany refused to submit to arbitration, refused to allow the employment of a European conference for the sake of keeping the peace and broke her treaty

engagements with regard to the integrity of Belgium.

The Great War started over a purely European squabble, but it soon affected the whole world. As a result of the astounding developments of trade and communications all over the world, due to the spread of the Industrial Revolution, the relations between the various nations and states of the world have become so numerous, close, and complicated that what affects one affects all. There was fighting in many different parts of the world; not merely upon European soil. India, Burma and Japan took their part in the fighting. Even countries as far apart as the great republic of China and the tiny republic of Nicaragua declared war on the Central Powers, as Germany and Austria were called. The economic effects of the Great War have been felt in every country of the world. Everyone has suffered from high prices, shortage of necessities, and a general lowering of the standard of life. People have begun to realise that under such circumstances no nation or state can in future hope to maintain itself in isolation.

International relations are, therefore, everybody's concern. Any dispute arising in

any part of the world is likely to affect the whole world. Similarly suffering in one part of the world has its effects upon other parts to a surprising degree. The chaos in Russia resulting from the Bolshevik revolution has affected the trade of the whole world. The terrible poverty of Germany and Austria after the war has caused hardship even to the paddy cultivator in India. So international relations are everybody's concern. This is one of the most important political facts of to-day and of the future. In India particularly, where most people's knowledge of and interest in the outside world is small, too much stress cannot be placed upon this point. If greater disasters are not to come upon the world some really effective form of co-operation among states must be devised. This is what the League of Nations sets out to do. When the Great War first broke out in 1914 the optimists said that it was "a war to end war." They were sadly mistaken. As it began to draw to a close it became evident that so far from ending war, the war had created a situation likely to cause fresh and more terrible struggles. So the Allied powers at war with Germany and Austria decided upon forming a permanent League of

Nations pledged to maintain peace in the world, and to set up and maintain an organisation whereby not only would future disputes be settled, but methods of international co-operation would be developed.

On the 28th April, 1919, the representatives of the United States, the British Empire, France, Italy and Japan met together in Paris and accepted a covenant consisting of twenty-six articles in which the organisation and aims of the League were detailed. This covenant was then included in the peace treaty, known as the Treaty of Versailles, which was concluded between the powers on the 28th June, 1919.

In the next chapter we shall review the articles of the Covenant of the League, while in the succeeding ones we shall deal with the various departments of its work from the time of its foundation until the middle of the year 1927.

CHAPTER II

THE COVENANT OF THE LEAGUE

THE general organisation and aims of the League of Nations are contained in its Covenant. This is a document of great importance.

In the preamble of the Covenant the general aims of the League are expressed in a short paragraph. The aims are "to promote international co-operation, and to achieve international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honourable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another."

Article 1 lays down the conditions of membership of the League. The original members of the League were of two kinds: (a) Powers which were signatories of the Peace Treaty, and (b) neutral Powers

invited to accede to the Covenant. This article also provides that "any fully self-governing State, Dominion or Colony . . . may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments."

If a member wishes to withdraw from the League it must give two years' notice of its intention to do so, but at the time of withdrawal it must have fulfilled all its international obligations and all its obligations under the Covenant.

Then we have articles dealing with the organisation of the League. *Articles 2 to 7* deal with the work of the League through the instrumentality of the Assembly, the Council and the Secretariat. *Article 14* empowers the Council and the Assembly to establish a Permanent Court of International Justice, and *Article 23 (a)* empowers the Assembly to maintain the International Labour Organisation.

After detailing the constitution of the League, most of the remaining articles

(*Articles 8 to 13, and 15 to 26*) are concerned with measures for the prevention of war.

Articles 8 and 9 instruct the Council to draw up a general plan for the reduction of national armaments and to appoint a permanent Commission to advise the Council on military, naval and aerial questions. The Council is also to advise the League regarding methods for controlling the manufacture of munitions of war by private firms.

Articles 10 to 13, 15 and 17 deal with questions of aggressions, wars and disputes. *Article 16* suggests steps to be taken in the case of a breach of Covenant. *Articles 18 to 21* advocate open diplomacy.

By *Article 10*, the members of the League guarantee each other's territorial integrity and existing political independence against aggression.

Article 11 declares that any war or threat of war, whether it directly affects the members of the League or not, is a matter of concern to the whole League. At the request of any member of the League, the Secretary-General must summon a meeting of the Council, and steps must be taken to safeguard peace.

Articles 12 and 13 make the members of the League promise to submit all their disputes to arbitration, and to refrain from war until three months after the award of the arbitrators has been made. Disputes over treaties or points of international law are, wherever possible, to be submitted to the Permanent Court of International Justice.

Articles 15 and 17 lay down the methods to be employed by the League in dealing with a dispute that has not been submitted to arbitration. In such a case the Council is to obtain the evidence as quickly as possible and publish it together with what it proposes as a solution to the question at issue. If the Council cannot come to a unanimous decision, or if its proposed solution is not accepted by the parties to the dispute, the members of the League may take such action through the Assembly as they think necessary. In any case the Council may refer the matter to the Assembly.

If a member of the League breaks the Covenant and resorts to war, its action, by *Article 16*, is to be considered an act of war against all the members of the League. In such a case the members of the League are first of all to proclaim a "boycott" against

the offending state, refusing all intercourse with it and severing all trade and financial relations with it. If necessary the League is to wage actual war upon such an offending state. A member of the League violating the Covenant in any way is liable to be turned out of the League. In all these cases the Council is the body which takes the necessary action.

Articles 18 to 21 state that all treaties entered into by members of the League are to be registered with the Secretariat and published as soon as possible. Secret treaties, which were so dangerous to the peace of the world in the period before the Great War, are thereby made illegal. At every stage of diplomacy, wherever the League is concerned it is to insist upon publicity. Another important regulation with regard to treaties is made by the Covenant. Treaties that have become out of date and no longer apply to existing conditions are to be revised. On this point the Assembly is to advise where such revisions are necessary in the interests of peace.

Article 22 deals with what is known as the "Mandatory System." It was laid down at the Peace Conference that none of the victorious powers should annex any territory taken from the defeated powers during the war. In

the Near East, for example, parts of Armenia, Syria and Mesopotamia were taken from the Turks, while Germany lost her colonies in South-West Africa and the Pacific islands. By this Article, however, these territories are to be administered by "advanced nations," on behalf of the League, until such time as they are recognised by the League as fit for self-government.

Article 23 urges the League to undertake many social and humanitarian activities, and gives the League supervision over various matters of international concern such as the traffic in women and children, opium and dangerous drugs, arms and ammunition, international communications and commerce, and the prevention and control of disease.

Article 24 secures that all international bureaux or matters touching them shall be placed under the direction of the League, while *Article 25* pledges the League to support all voluntary national Red Cross organisations "having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world."

Article 26 lays down that amendments to the Covenant can only be made by the

Assembly; and that they must be passed by at least a three-fourths majority of members present at the meeting. They do not take effect until they have been ratified by the governments of the members of the League composing the Council at the time when the vote was taken, and by a majority of members of the League. As yet fifteen amendments have been made to various articles of the Covenant, but not all of them have received a sufficient number of ratifications to cause them to come into effect.

Fourteen new members have been added to the League since its foundation, among whom are Austria, Hungary and Bulgaria. Germany joined in 1926 and now has a seat upon the Council of the League. Turkey, it is hoped, will apply for membership at an early date. The United States of America has not yet joined the League. She could have become an original member of the League as a signatory of the Treaty of Peace, but her government did not ratify all the sections and clauses of the Treaty of Versailles and did not accept the full implications of *Article 10* of the Covenant. Both Germany and America, however, have on many occasions co-operated

officially and effectively with the League. Both had representatives on various commissions dealing principally with humanitarian and economic questions. America, for example, was prominent in the opium discussions at Geneva. She has a judge on the bench of the International Court of Justice. While, therefore, there may be difficulties in the present machinery of the League being fully accepted by America, she recognises the value and importance of the methods of the League. It is confidently hoped by many that the U. S. A. will soon become its full and active member.

It is impossible here to give a detailed criticism of the Covenant of the League, nor is it desirable to do so, inasmuch as the League has been in existence for so short a time. One of the most important features of the Covenant is its attempt to make as definite as possible all the various international institutions in existence, and to give them fresh vigour and life. It is more difficult to break a definite institution than an indefinite understanding. The more the states of the world develop international co-operation in solving common problems the more difficult will it be for war to break out among them.

But mere perusal of the Covenant will show that the League cannot prevent war. One article (*Article 16*) provides for the League itself making war under certain circumstances. All that can be claimed is that it does provide an adequate method for settling disputes without recourse to war, and it does place real obstacles in the way of definite aggression. War is not yet internationally illegal; the League, however, is trying to make it illegal; but who is to prevent a wilful wrongdoer from breaking the law? As Professor Leacock concisely puts it: "The League offers an admirable mechanism whereby nations which wish to settle their disputes with one another without war may be assisted to do so; but it offers, and it can offer, nothing more than a partial and unreliable protection against the ambitions and rapacity of private nations. The only effective preventive of war is a sincere will-to-peace on the part of states. No League of Nations, no international covenant can assure this. It must spring up in the heart of man." M. Stresemann (first delegate of Germany) also emphasised the same point when Germany was admitted into the League on the 10th September, 1926. He said—

“The ideals of nationality and of humanity may unite on the intellectual plane, and they may similarly unite in pursuit of political ideals, provided that there is the will to make common progress in this field. The catastrophic events of a terrible war have recalled the conscience of mankind to a consideration of the tasks which confront the different nations. In many countries we have witnessed the ruin of the whole classes of the population, who are not only valuable, but intellectually and economically indispensable to the life of the nation. We are beholding the birth of new forms of economic life, and the disappearance of older ones. The co-operation of the peoples in the League of Nations must and will lead to just solutions for the moral questions which arise in the conscience of the peoples. The most durable foundation of peace is a policy inspired by mutual understanding and mutual respect between nation and nation.”

CHAPTER III.

THE MACHINERY OF THE LEAGUE

THE League of Nations has a working machinery which consists of three main parts—(a) The Assembly, (b) The Council and (c) The Secretariat.

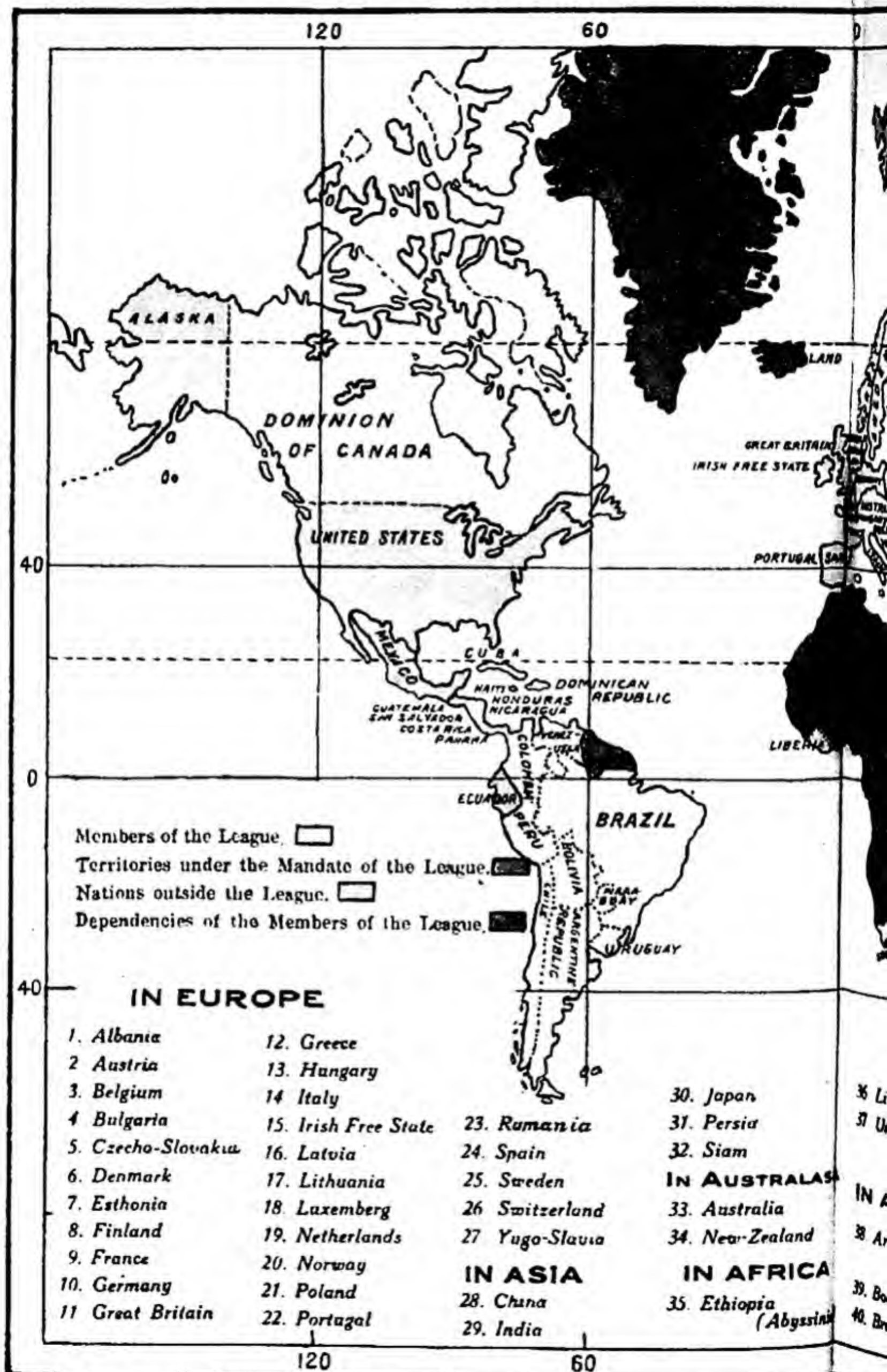
A—THE ASSEMBLY

The Assembly is the Parliament of the League and is composed of not more than three delegates from each Member State of the League. The three delegates from each state, however, command only one vote. At present (June, 1927) fifty-six states are members of the Assembly. Of these 56 states, Brazil and Spain gave in 1926, the requisite two years' notice of their intention to withdraw from the League in September, 1928.

(a) The following twenty-nine states became members of the League on the 10th January, 1920, by the fact of the Treaty of Versailles becoming effective:—

In Europe—Belgium; Czecho-Slovakia; France; Great Britain; Greece; Italy; Poland; Portugal; Roumania; Yugoslavia (Kingdom of the Serbs, Croats and Slovenes)

THE WORLD SHOWING THE STATES MEMBERS OF THE LEAGUE OF NATIONS



MEMBERS OF THE LEAGUE OF NATIONS.



In America—Bolivia; Brazil; Canada;
Cuba; Guatemala; Haiti; Honduras;
Nicaragua; Peru; Panama; Uruguay.

In Asia—China; India; Japan; Siam.

In Africa—Liberia; Union of South
Africa.

In Australasia—Australia; New Zealand.

There were thirty-two states who were signatories of the Treaty of Peace. All of them, if they liked, could have become original Members of the League [*vide Article 1 of the Covenant*]. But three of them, *viz.*, the United States of America, Ecuador, and Hedjaz, having failed to ratify the Treaty in their local legislatures, could not become members of the League when it came into existence officially on the 10th January, 1920.

(b) The following thirteen states were invited to accede to the Covenant, and they joined the League through subsequent ratification :—

In Europe—Denmark; Netherlands;
Norway; Spain; Switzerland; Sweden.

In America—Argentine Republic; Chile;
Colombia; Paraguay; San Salvador;
Venezuela.

In Asia—Persia.

(c) The following six states became members of the League by resolution of the First Assembly (1920):—

In Europe—Albania; Austria; Bulgaria; Finland; Luxemburg.

In America—Costa Rica.

(d) The following three states became members of the League by resolution of the Second Assembly (1921):—

In Europe—Esthonia; Lithuania; Latvia.

(e) The following state became a member of the League by resolution of the Third Assembly (1922):—

In Europe—Hungary.

(f) The following two states became members of the League by resolution of the Fourth Assembly (1923):—

In Europe—Irish Free State.

In Africa—Ethiopia (formerly known as Abyssinia).

(g) The following state became a member of the League by resolution of the Fifth Assembly (1924):—

In America—Dominican Republic.

(h) The following state became a member of the League by resolution of the Seventh Assembly (1926):—

In Europe—Germany.

The Assembly meets once a year, unless specially convened, at Geneva, on the first Monday in September. The special functions of the Assembly are as follows:—

- (i) To admit new members to the League;
- (ii) To recommend the reconsideration of obsolete treaties;
- (iii) To elect the nine non-permanent States Members to the Council of the League;
- (iv) To amend the Covenant when necessary;
- (v) To approve the decision of the Council to increase the number of permanent or non-permanent members of the Council;
- (vi) To consider disputes referred to it by the Council at the request of either party;
- (vii) To elect judges and deputy-judges of the International Court of Justice;
- (viii) To consider the Annual Report of the Council, and of the measures taken to execute the decisions of the Assembly;

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- (ix) To adopt the Annual Budget as a whole, and to allocate the expenses among the Member States.

The first business of the Assembly when it meets every year in September is the election of its President and six Vice-Presidents, together with the Chairmen of the six committees appointed by the Assembly for its work. These men are appointed in relation, as far as possible, to the main groupings of international life, so that the various types of civilisation and political interests may have their representation. The work before the Assembly is apportioned to six committees which report to the Assembly. A committee consists of one delegate from each Member State, and elects its own chairman. The committees are :—

1. Legal and Constitutional (amendments to the Covenant).
2. Technical (finance, economics, transit, etc.).
3. Limitation of armaments and economic blockade.
4. Internal administration and budget of the League.
5. Humanitarian and Social (epidemics, repatriation of prisoners,

opium, traffic in women and children, etc.).

6. Political (admission of new states, etc.)

The above mentioned committees consider all the reports submitted to the Assembly by the different states and organisations, and make recommendations to the Assembly. The Assembly then discusses the reports and decides on the action to be taken, frequently making observations on the reports.

As the League seeks the solution of international difficulties by consent and not by dictation, the decisions at any meeting of the Assembly, except in matters of procedure at meetings, amendments to the Covenant and admission of new members, require unanimous agreement. Sovereign states are not ready to be bound by the majority decisions of other states; but as the League is founded on the desire to agree, in almost every case a working compromise is arrived at. It was also necessary to guard against the possibility of coalitions being formed within the League for the purpose of coercing the minority powers to take certain actions which they themselves would be unwilling to take. Without the unanimity

rule, state action as part of some general international plan could not be secured.

There are, however, several important exceptions to this rule, *e.g.*, admission to membership which is decided by a two-thirds majority, questions of procedure (including the appointment of committees) and amendments to the Covenant which are decided by a simple majority of the Assembly.

B—THE COUNCIL

The Council is the executive body of the League and is composed of the delegates of four "Allied and Associated Powers" (France, Great Britain, Italy and Japan) and Germany who are permanent members, and nine non-permanent members periodically elected by the Assembly. Originally the Council was to have nine members, five permanent members (France, Great Britain, Italy, Japan and the U. S. A.) and four non-permanent members. The failure of the United States of America to ratify the Treaty of Versailles reduced for a time being the number of permanent members to four. The number has again been raised to five by giving a seat to Germany.

Brazil and Spain also demanded permanent seats on the Council. As their proposal was negatived both of them have given two years' notice of their intention to withdraw from the League in September 1928.

The Assembly and the Council in 1925 increased the number of non-permanent members to nine, as permitted by the Covenant. In accordance with the new rules, in September every year the Assembly would elect three non-permanent members of the Council. They would be elected for a term commencing immediately on their election and ending on the day of the elections held three years later by the Assembly. Of the present non-permanent members the term of office of Belgium, Salvador and Czecho-Slovakia will expire in September 1927; of Colombia, Netherlands and China in September 1928; and of Poland, Chile and Roumania in September 1929.

The Council meets at least once a year at Geneva or any other place decided upon. The increasing volume of work has necessitated a meeting about once every three months, and the Covenant provides for an immediate meeting in case of emergency.

Each power represented on the Council sends one delegate to the meeting and has one vote. "Any member of the League not represented on the Council is invited to send a representative to sit as a member, at any meeting of the Council during the consideration of matters specially affecting the interest of that member of the League."

- The Council has power at its meetings to deal with any matter within the sphere of action of the League as affecting the peace of the world.

The main functions of the Council are as follows :—

- (i) To supervise the mandates system.
- (ii) To prepare plans for the limitation of armaments.
- (iii) To carry out the duties entrusted to it by the Peace Treaties, concerning the government of the Saar Territory and of the Free City of Danzig, and minorities.
- (iv) To exercise the authority of the League in dealing with emergencies.
- (v) To deal with disputes submitted to the Council for enquiry and report, and to refer disputes not

settled by arbitration or judicial award to the Assembly.

- (vi) To consider whether any State Member resorting to war has committed a breach of the Covenant, and to recommend to States Members penalties to be applied by the League.

All the work of the Council in these and any other connections is subject to discussion by the Assembly.

C—THE PERMANENT SECRETARIAT

The Secretariat of the League consists of the permanent officials, of whom there are nearly five hundred, representing forty nationalities including India. Its headquarters are on the shores of Lake Geneva; and the smooth running of the League's activities is largely dependent upon the efficiency of this International Civil Service, consisting of men and women of every nation speaking a variety of languages. A permanent international secretariat of this kind is entirely new in world politics. There are one Secretary-General, one Deputy Secretary-General and two Under-Secretaries-General. The Secretaries and the staff of the Secretariat are appointed by the Secretary-General

with the approval of the Council. The Secretary-General acts in that capacity at all meetings of the Assembly and of the Council. The Secretariat carries out the work of the League (*a*) through its own special sections or departments and (*b*) through the various auxiliary organisations which are set up or convened by the Assembly. The special sections are :—

1. The Political Section.
2. The Financial and Economic Section.
3. The Mandates Section.
4. The Limitation of Armaments Section.
5. The Minorities and Administration (Saar Territory and Danzig) Section.
6. The Legal Section.
7. The Transit Section.
8. The Health Section.
9. The Social Questions Section.
10. The Information Section.

The Secretariat convenes all meetings of the Assembly, Council and Committees; keeps minutes of their proceedings, and issues them to all Member States; collects data and

statistics according to instructions; and prepares and publishes all League documents in the two official languages, English and French.

D—THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The practice of international arbitration for the settlement of disputes between states grew up during the last decade of the 19th century. The idea of creating a permanent Court of arbitration was strongly favoured by the Hague Peace Conference in 1899, when an agreement providing for the establishment of such a Court was adopted. The Conference also decided that a Tribunal to settle international disputes should be set up at the Hague. There was no way of compelling a nation to submit its grievances to the Tribunal, and just those very causes of war that make most trouble were excluded from the consideration of the Conference. At the second Conference, also held at the Hague, in 1907, the question of the limitation of armaments was proposed and championed by Britain, but there was strenuous opposition to such a movement especially on the part of Germany and Austria. This Conference,

however, strove to extend the power of the Tribunal by converting it into an international Court of Justice with salaried judges. But the scheme failed, because the powers could not agree among themselves as to the method of appointing judges to the Court.

A Third Hague Peace Conference was to have met in 1915, but on account of the Great War was unable to assemble. Had it assembled, the question of setting up this international Court of Justice would have been one of the most important items on its agenda. When the Covenant of the League of Nations was being drawn up, the powers decided to include in it provision for setting up such a Court. This is therefore the subject of *Article 14* of the Covenant which runs as follows:—

“The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.”

In accordance with the above article, the Council of the League, in February, 1920, with the aid of a special committee of ten eminent jurists of the world, formulated plans for the establishment of an international Court of Justice. The plans were submitted to the first Assembly, which discussed, modified and passed them in December, 1920. By September, 1921, it received the necessary number of ratifications by Member States. The judges were elected in September, 1921; the formal opening of the Court took place at the Hague, which is the permanent seat of the Court, on the 30th January, 1922, but the Court began its work in June of the same year.

The Court is at present composed of a President, a Vice-President, nine ordinary judges and four deputy judges, elected for nine years by the Council and the Assembly. That is the number which is deemed sufficient to carry on the work of the Court under the present state of affairs of the League. If necessary, however, the number of judges and deputy judges can be increased to twenty-one. There is also a permanent Registrar of the Court who is responsible for all the administrative work and has certain duties

connected with the judicial and advisory functions of the Court.

The method employed for the election of judges is interesting because it has solved a difficult problem which formerly, as we have seen, prevented the formation of such a Court. Each member of the League appoints a small group of persons to nominate four judges of whom two only may belong to that particular state. In the case of states which are members of the Permanent Court of Justice this function is performed by their representatives in the Court. The complete list of nominees is then submitted to both the Council and the Assembly, which proceed to elect the judges from among them. In doing so they vote separately and a judge is appointed only if he receives a majority of votes in both the Council and the Assembly.

This system has worked very satisfactorily up to the present time. Its great merit is not only that it is simple to work in practice, but that it ensures the representation of as many of the different legal systems of the world as possible. As a result of the first election, the Court received a Swiss President, a French Vice-President, American,

Brazilian, Cuban, English, Danish, Dutch, Italian, Japanese and Spanish judges, and Chinese, Norwegian, Roumanian and Serbian deputy judges. The president and vice-president of the Court are elected by the Court itself for a term of three years. They are also eligible for re-election at the expiry of their term of office. It is a permanent Court in the strict sense of the term and its ordinary sessions begin on the 15th of June every year, at "the Carnegie Peace Palace," at the Hague, where it has the use of one of the finest law libraries in the world.

Besides the full Court which usually sits with from nine to eleven judges, there are a number of small committees, called Chambers, to deal with special subjects such as labour, communications, etc. These only sit if specially requested to do so by states using the Court. Ordinarily the full Court sits. If a case comes before the Court between two states only one of whom is represented in the Court, a judge who is a national of the unrepresented state must be co-opted to sit with the other judges for this particular case. If a case comes before the Court between two states neither of whom is represented in the Court, then each of them selects a judge of

its own nationality, who is co-opted to sit on the bench at the International Court. This system is a guarantee that the merits of cases are considered and that judgments are drafted in terms as little hurtful to the national feelings of the contending parties as possible.

The Court has two functions. In the first place it acts as an advisory body. At the request of the Council or the Assembly it can give an advisory opinion in case of any dispute or question submitted to it. In the second place it is a judicial body which can actually decide disputes between states. In some cases states may voluntarily submit their disputes to the judgment of the Court; in others they are bound to do so.

The Court is competent to adjudicate upon—

- (a) The interpretation of Treaties
- (b) Questions of international law
- (c) Breaches of international law
- (d) The nature and extent of reparation to be made for an international obligation.

Most of the recent treaties between states bind them to submit certain questions to the

Court in case of disputes arising concerning them. Thus the Treaty of Versailles stipulates that disputes relating to the Kiel Canal are to be referred to the Court. The Treaty of St. Germain lays it down that if a dispute concerning their telegraphic and telephonic systems arises between Austria and Czecho-Slovakia, it is to be decided by the Court.

Any self-governing state, whether a member of the League or not, may use the Court to settle its disputes. In giving an opinion or a judgment the Court must, as far as possible, apply the various rules and understandings of international law; but it may not create new law. If international law cannot be applied to a particular case, then the general principles of law as recognised by civilised nations must be applied. Above all in reaching its decisions the Court must be strictly impartial; it must regard itself as a strictly legal body dealing with matters from a legal and not from a political point of view.

Up to the present the Court has held two sessions a year. It has given advisory opinions in a number of cases submitted to it by the League. Of the many important

and complicated international questions so far settled by this Court the two most serious disputes were those between Great Britain and France over rights of nationality in Tunis and Morocco; and between Poland and Germany over the rights of German minorities in Poland. Both cases were settled to the satisfaction of all parties.

E—THE INTERNATIONAL LABOUR ORGANISATION

Truly speaking, the Labour Organisation is based not on the Covenant, but on Part XIII of the Treaty of Versailles, which lays down the principles which should govern the labour conditions in countries of the signatories to the treaty. This section of the Treaty is popularly known as the International Charter of Labour. For in the preamble of Part XIII of the Treaty it is declared that "conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a

maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interest of workers when employed in countries other than their own, recognition of the principle of freedom of association, the origination of vocational and technical education and other measures.” These are the principles upon which the International Labour Organisation rests.

By *Article 23* of the Covenant the members of the League undertake that they will “secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations.” Hence all the States Members of the League are members of the International Labour Organisation; its budget is also subject to the control of the League Assembly. It is,

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however, apart from this an autonomous organisation, and stands for social peace and social justice, just as the League stands for international peace and international co-operation.

The International Labour Organisation works by means of :—

I—A General Conference, in which all the States Members of the League of Nations, take part. Each country is represented by four delegates—

(a) Two for the Government;

(b) One for the Workers' organisations;
and

(c) One for the Employer's organisations.

This Conference meets once a year; up to the present it has met at Washington in 1919, at Genoa in 1920, and in subsequent years at Geneva, the seat of the International Labour Office. It embodies its decisions either by (a) Draft Convention, or (b) Recommendation, or (c) Resolution. Conventions must be adopted by two-thirds of the delegates, and when adopted must be brought before the respective Governments for ratification. The provisions are absolutely binding on the States Members who

ratify the Convention. Recommendations must similarly be passed by a two-thirds majority, but are not so binding on the States Members, as being only general statements of policy, which members are advised or invited to follow. Resolutions are adopted by a simple majority and merely provide a means of expressing the corporate opinion of the Conference.

II—An International Labour Office, which is a permanent institution analogous to the Secretariat of the League of Nations. The functions of this office include (*a*) centralisation and distribution of information on labour conditions in various countries; (*b*) publication of periodicals on labour and industrial problem; (*c*) special investigations and commissions delegated by the Conference.

III—A Governing Body, consisting of twenty-four members, twelve of whom represent the governments (including the eight states of chief industrial importance, *viz.*, Great Britain, France, Germany, Italy, Belgium, Japan, India and Canada), six the employers and six the workers. This is the Board of Management of the Labour Office.

F—AUXILIARY ORGANISATIONS

The numerous tasks which confronted the League as soon as it was set up, necessitated the creation of various auxiliary organisations. They are of three kinds, *viz.*:—

I—Technical Organisations dealing with—

1. Finance and Economics
2. Transit
3. Health

II—Advisory Committees for various purposes, *e.g.*

1. Permanent Armaments Commission
2. Temporary Mixed Commission for reduction of Armaments
3. Permanent Mandates Commission
4. Committee on Traffic in Opium and other Dangerous Drugs
5. Committee on Traffic in Women and Children
6. Committee on Intellectual Co-operation.

III—Special Committees for different subjects.

1. Repatriation of Prisoners of War

2. Russian Refugees
3. Refugees in Asia Minor
4. Armenian Refugees in Caucasus
5. Protection of Women and Children
in Asia Minor, Palestine, etc.
6. Jurists' Committee
7. Saar Basin Governing Commission,
etc., etc.

I—TECHNICAL ORGANISATIONS

1. *The Financial and Economic Commission* deals with—

- (a) The balancing of public revenue
- (b) The abolition of state subsidies
- (c) The cessation of inflation of credit
and currency
- (d) The release of trade from hampering
restrictions
- (e) The organisation of international
credit schemes having regard to
the needs of the various
countries.

This Commission has been entrusted with the work of the financial reconstruction of countries like Austria and Hungary and has been asked to study, in co-operation with the Transit Commission, the meaning

and scope of the provision relating to equitable treatment of commerce as contained in *Article 23* of the Covenant.

2. *The Transit Commission* provides for communication and transit and equitable treatment for the commerce of all members of the League. The first general conference on transit met at Barcelona in March, 1921, and the second at Geneva in November, 1923. At these Conferences questions regarding transport on navigable waterways of international concern, ports under an international régime, interchange of international traffic by rail, mutual use of rolling-stock and technical uniformity of traffic, etc., were discussed. This Commission is rapidly becoming a central organisation for the settlement of all international disputes on questions of transport.

3. *The Health Organisation* deals with improvement and protection of public health throughout the world. It consists of an Advisory Council, a health committee and an epidemic commission. It does epidemiological intelligence work, it co-ordinates scientific researches in sereology, and secures joint action of different nations in the combating of disease.

II—ADVISORY COMMITTEES

1. *The Permanent Armaments Commission* is a body of experts to advise the League on the limitation of armaments, and military, naval and aerial questions generally. It acts in close co-operation with the Temporary Mixed Commission for the Reduction of Armaments.

2. *The Temporary Mixed Commission* for the Reduction of Armaments is composed of persons of recognised competence in political, social and economic matters, among whom there were some members of the Permanent Armaments Commission and of the International Labour Organisation. The members of this Commission were given particular terms of reference and asked to submit concrete proposals for the immediate reduction of armaments. This is an *ad hoc* committee as distinguished from the permanent standing armaments committee.

3. *The Permanent Mandates Commission* is a body of experts to examine the annual reports of the Mandatory States, and to advise the Council and the Assembly on Mandates generally.

4. *The Advisory Committee on Traffic in Opium and other Dangerous Drugs* has for

its object the securing of effective execution of the provisions of the International Opium Convention of 1912, and the preparing of a more comprehensive policy designed to supplement the provisions of that convention in such a way as to lead to a more rapid suppression of the traffic.

5. *The Advisory Committee on Traffic in Women and Children.* All proposals relevant to the suppression of the traffic in women and children, brought before the Assembly, are first of all examined by this committee, which investigates and formulates definite proposals.

6. *The Committee on Intellectual Co-operation* aims at an international organisation of intellectual work. The programme of work of this committee includes :—

- (a) Assistance to countries whose intellectual life is especially endangered.
- (b) Protection of intellectual property, including copyright of literary and scientific work done by scholars.
- (c) Co-ordination of Bibliographical work and international interchange of publications.

- (d) International co-operation in archæological research.
- (e) Prevention of the smuggling of works of art and antiquities,—a traffic which is highly injurious to methodical, and consequently fruitful, scientific research.

III—SPECIAL COMMITTEES

Either in general accordance with the spirit of the Covenant or in response to the indications of public opinion, the League has taken up the questions of repatriation of prisoners of war, the Russian refugees, the Armenian refugees in the Caucasus, the refugees in Asia Minor and the protection of women and children in Asia Minor, Palestine, etc., and has appointed special committees to deal with these problems. The League has also appointed several other special committees, *e.g.*, the *Jurists Committee* for the purpose of the codification of International Law, and the *Saar Basin Governing Commission* for the administration of the Saar Basin. The reports of all these special committees are presented to the Council and the Assembly for taking such action as they deem fit.

CHAPTER IV

WHAT THE LEAGUE HAS DONE

A—POLITICAL WORK

(1)—*Dispute between Finland and Sweden regarding Aaland Islands*

FROM the time of the signing of the Armistice in 1918, in almost all the states of Europe people have been desirous of applying the principle of "self-determination" to their national problems. The inhabitants of the Aaland Islands constantly urged that they wanted to be separated from Finland and to be incorporated with Sweden. Sweden, as was natural, supported the claims of the Aaland Islanders and told them that they had the right to hold a plebiscite. Finland refused to recognise this method of solving the Aaland question on the ground that she had sovereign rights over her own territory. The dispute threatened to disturb the peace of Northern Europe. *Article 11* of the Covenant recognises "the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any

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circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends." Great Britain exercised the above right and brought the Aaland question before the Council of the League. The Council appointed an International Commission of three members to make an inquiry on the spot. On receiving the report of the inquiry the Council decided that (a) the sovereignty over the Aaland Islands should belong to Finland, (b) the archipelago should be non-fortified in the interests of general peace and of future good relations between Finland and Sweden, (c) the arrangements should be assured by an international agreement so that the prosperity and welfare of the Islands themselves might be guaranteed by the Council.

Sweden and Finland agreed to the above proposals, and the agreement was concluded in the form of a diplomatic convention guaranteed by the Council of the League. This was the first European diplomatic convention concluded immediately after the Great War under the auspices of the League of Nations.

(2)—*Dispute between Poland and Lithuania
over the possession of Vilna*

In 1920, an outbreak of hostilities between Poland and Lithuania was imminent on account of the quarrel of the two countries over the possession of Vilna. In September, 1920, both countries asked the Council of the League to intervene. The Council appointed a Military Commission of Control which proceeded to Lithuania to prevent an outbreak of hostilities. Under the auspices of the Council the parties met in Brussels in April, 1921, and negotiations for a peaceful solution of the question began. Although severe strictures upon Polish policy were made at the meeting of the Council in September, 1921, both the Governments of Poland and Lithuania refused to accept the final recommendation of the Council. The Council thereupon decided to withdraw its Military Commission of Control in January, 1922. When this threat was held out the Polish and Lithuanian representatives gave formal pledges to abstain from any act of hostility, and agreed to continue their efforts to find a peaceful solution by asking the Council to suggest measures for drawing up a demarcation line in the Vilna district. This was done

by the Council and the parties accepted their decision.

(3)—*Dispute between Poland and Germany regarding Upper Silesia*

In accordance with the Treaty of Versailles an Inter-Allied Commission was sent to Poland in 1919 to fix the frontier between Germany and Poland in Upper Silesia. The Commission was confronted with many difficulties raised by both the Governments. In March, 1921, on a basis of universal suffrage for both sexes, a plebiscite was taken by the inhabitants of Upper Silesia. The result was,—for absorption by Germany, 716,000 votes; for Poland, 471,000 votes.

Early in May, 1921, Polish newspapers reported that the Inter-Allied Commission would urge that Germany should have those Silesian districts which had voted German. As soon as this news was published a Polish insurrection broke out in Silesia under the leadership of Korfanty. Although the Polish Government dismissed Korfanty, by the middle of May his troops had overrun the country as far as the river Oder. The Germans in Upper Silesia, noticing the weakness of the Commission in preventing a

march of Korfanty's troops began a counter-offensive against the Poles. The Council thereupon sent a Commission of Experts to report on the question. When this Commission reported the results of its inquiry, a small committee consisting of representatives of Belgium, Brazil, China and Spain—representatives of states which had not taken any part in previous discussions—was appointed to consider the report. The eventual decision was based on the plebiscite figures taken in conjunction with the geographical and economic conditions, and involved the division of the industrial area. The recommendations included economic clauses which were designed to prevent the political frontier from constituting in any way a barrier to trade. Finally the Council recommended that—"An Upper Silesian Mixed Commission is to be set up composed of an equal number of Germans and Poles from Upper Silesia with a President of another nationality. The League is to act as an advisory body. Any dispute arising between the German and Polish Governments within the next fifteen years in respect of the economic clauses may be referred to the Council of the

League of Nations by the Governments concerned."

These recommendations of the Council were accepted by all the parties.

(4)—*Dispute between Italy and Greece*

Article 12 of the Covenant lays down that "the members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council." Italy did not do this in August, 1923, when the Italian representatives on an Inter-Allied Commission, engaged in delimiting the Græco-Albanian frontier, were murdered in Greek territory by persons unknown. The incident, with the events that followed it—notably the ultimatum immediately addressed by Italy to Greece and the occupation of Corfu—might well have plunged all Europe in war, as in 1914. Certainly Italy flouted the League, but the Assembly was sitting in September, and the conscience of the World Powers was roused on the occasion. At first Italy wanted to negotiate directly with Greece, but finding it difficult for her to act alone against world opinion, asked for the intervention of the

Ambassadors' Conference. The Ambassadors' Conference drew up a note; the League also formulated a plan to settle the dispute. A compromise was effected. But the fact that the League was in this case powerless to force acceptance of its views upon Italy is evidence of the need for a stronger international public opinion in support of the League's authority.

(5)—*The Mandate System*

Under *Article 22* of the Covenant it is laid down that "those colonies and territories which, as a consequence of the late War, have ceased to be under the sovereignty of the states which formerly governed them, and which are inhabited by people not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation." Accordingly the tutelage of these peoples has been entrusted by the Covenant to the more advanced nations, who will administer these countries as Mandatories on behalf of the League. The character of the Mandates differs according to the stage of the

development of the people, consequently mandated territories are divided into three classes :—

Class A—“ Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised, subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.” (Covenant.)

Iraq (formerly known as Mesopotamia) and Palestine have been allotted to Great Britain. Syria has been allotted to France.

Class B—“ Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of

military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other members of the League." (Covenant.)

Former German Possessions in Central Africa, *viz.*, portions of East Africa, Togoland and the Cameroons have been allotted to Britain, France and Belgium.

Class C—"There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards abovementioned in the interests of the indigenous population." (Covenant.)

Former German Possessions in the Pacific, south of the Equator, with the exception of Nauru and Samoa, have been allotted to Australia.

Former German Possessions, north of the Equator, have been allotted to Japan.

Samoa has been allotted to New Zealand and Nauru to the British Empire.

South-West Africa has been allotted to the Union of South Africa.

It will be noticed that, though the permission to "C" Mandatories to administer their mandated territories as integral parts of their own possessions merely means annexation of the territories by the Mandatories, still such Mandatories are liable by the Covenant to render an annual report to the Council of the League in reference to the territories committed to their charge.

The courageous and persistent exercise of the right of vigilance and criticism conferred on the League by the Covenant is essential to the success of the Mandate System. The *Article 22* of the Covenant does not do away with the necessity of constant watchfulness over the interests of the populations concerned by those who are gifted with a sense of responsibility for right and justice; it increases that necessity all the more, inasmuch as it provides the means for useful and definite action.

The following is one of the many examples which will show the excellent spirit in which the Permanent Mandates Commission of the

League is carrying on the responsible task of vigilance over the doings of the Mandatories. Regarding the administration of Nauru Island, the Permanent Mandates Commission observes:—"It would seem that, as a great part of the island consists of phosphate deposits, the present conditions of life and the future well-being of the Nauruan natives, *vis-a-vis* the use of their lands by the Phosphate Commissioners merits the continuous attention of the Commission, and it is hoped that the exploitation of the mineral wealth of the island will not entail any undue restriction of the area open to native habitation or cultivation. The Commission desires to know the probable duration of the exploitation of known deposits, and also what area proportionate to the whole will have been affected by that exploitation when the deposits are exhausted. . . . It is important that the future of the population should be fully guaranteed, and the Permanent Mandates Commission would be particularly glad to find in a later report an explanation of the measures taken by the Nauru Administration to ensure not only the present welfare of the natives, but also, in conformity with the recommendations of the

Covenant, the development of the population of the mandated area. . . . It desires to know whether the establishment by the three Governments concerned (Great Britain, New Zealand and Australia) of a state organisation enjoying the sole rights of development of the only natural resources of the area is fully in keeping—although no formal provision under the regulations for “C” Mandates forbids it—with the disinterested spirit which should characterise the mission of a Mandatory State.” Permanent Mandates Commission, paper No. C. 552, M. 334—1922 VI). All these questions have been satisfactorily answered by the Australian Government, the Mandatory for the time being.

The status of Iraq (which was originally a mandated territory of Class “A”) has improved recently. A political treaty between Great Britain and Iraq, somewhat on the lines of a Mandate, which laid down that Iraq would have practical independence by the end of 1927, was signed on the 30th April, 1923. The question of the frontier between Turkey and Iraq was brought, in September 1924, before the Council of the League of Nations at the request of the British Government, in virtue of the Treaty of Lausanne.

After making prolonged enquiries, the Council, on the 16th December 1925, unanimously awarded Mosul to Iraq, on condition that a new Anglo-Iraq Treaty would be submitted to the League within six months providing for the continuation by Great Britain of the Mandatory *régimé* for 25 years, or less if Iraq be admitted as a Member of the League before the expiration of that period. Announcing the decision of the Council in the House of Commons on the 17th December 1925, the Prime Minister, Mr. Baldwin, declared that it was the Government's belief that the actual period of the British mandate would fall far short of the maximum period of 25 years. The Colonial Secretary, Mr. Amery, also informed the Council of the League that Iraq was practically on her own feet, and that long before the expiration of the 25 years' mandate period she would be able to stand alone and would enter the League of Nations.

B—FINANCIAL AND ECONOMIC WORK

(1)—*Financial Reconstruction of Austria,*

Hungary and other States

One of the most difficult international questions which Europe had to face at the

end of the Great War was that of Economic distress. Millions of men were out of employment; boundaries were altered; old economic combinations had been smashed; prices rose higher than they had ever been known before; every government was saddled with a huge debt; in some parts of Europe, particularly Austria and Serbia, there was actual famine and starvation. To make matters worse certain states such as Germany and Austria coined such an enormous amount of paper money that it began to lose its value at a most alarming rate. This was especially shown by the fall of their exchanges. Normally before the War the German *Mark* was worth about 1/20 of a pound (*i.e.*, about 12 annas). When however the German exchange began to fall, the number of marks that one could get for fifteen rupees jumped first to thousand, then to millions, and finally to several millions of millions. In Austria florin notes became cheaper than the paper on which they were printed. Other exchanges while not falling in such an astounding manner as the German mark or the Austrian florin have not remained fixed but have fluctuated enormously.

The result of all this has been that trade has been unable to revive, industry has been almost crippled, and the lower classes have suffered terrible hardships. Some of the Governments of Europe, particularly those of new states founded by the Peace Treaty have found themselves in such difficult circumstances that they have appealed to the League of Nations for help. One of them—Austria—when tottering on the brink of ruin, has only been saved by the League arranging a settlement of her financial condition.

In carrying out its economic and financial work the League has the services of two committees. They are the Financial Committee and the Economic Committee, both presided over by M. Ador, formerly President of the Swiss Republic. The members of these committees are experts, not representatives of governments. They are chosen by the Council because of their special knowledge or capacity. They are bound by no rigid rules: they may pursue their enquiries in any way they think best. Their function is to tender advice to the Council on matters referred to them. That the League should have the very best expert advice in matters

of finance and economics is of great importance. One of the prime objects of the League is the settlement of disputes without resort to war. In the modern world most international disputes arise out of economic conditions. If the League is to carry out its work effectively it must have the very best advice on such matters. Then the idea is that it will carry out not only the functions of the doctor who seeks to restore health to a sick man, but also those of the public health officer who strives to prevent diseases by destroying their causes.

The League, however, is not only concerned with questions of peace and war, it has also to consider methods whereby the states of the world may co-operate to mitigate suffering and promote progress. In 1920 the Council of the League summoned an International Financial Congress to meet at Brussels in order that the delegates of the various countries might bring together a body of information regarding the terrible distress prevalent in Europe, and make suggestions as to how it should be decreased. The representatives of 39 states attended the Congress which unanimously passed a series of resolutions regarding remedies, which were

communicated to all the governments of the world. The suggestions contained in them have been applied by many states, and have proved of real value in improving conditions.

Possibly the greatest economic achievement of the League has been its reconstruction of Austria. This was effected by the application in practice of the principles embodied in the resolutions passed at the *Brussels Conference* mentioned above. These were carried out under the direction of the Financial Committee. Austria's condition at the end of the war was so bad that her population was only saved from utter starvation by charitable donations. During the first three years after the war other nations contributed about 75 million pounds sterling simply to keep Austria alive. At the end of the time that money was hopelessly lost. The Austrian Government was incapable of restoring the country to a normal condition. Starvation, riots and possibly revolution were imminent.

At that juncture in 1922, Austria appealed to the League to help her out of her difficulties. The Council decided to take up the matter and requested the Financial Committee to frame a scheme. Luckily the Committee

had already been studying Austrian conditions, so within the short space of five weeks a scheme was drawn up, passed, and came into force in October 1922. Austria was guaranteed a large loan of money on condition that she carried out certain important reforms suggested by the Committee. In order that these reforms should be properly carried out the League appointed a Commissioner-General to supervise them, while the states guaranteeing the loan to Austria also appointed a Committee of Control. The result is that at the present moment conditions in Austria have improved in a surprising manner. Within 5 months after the scheme was started, the numbers of her unemployed fell from 170,000 to 95,000, her industries have revived, she has been able to buy huge supplies of raw materials abroad, the deposits of savings in her banks have greatly increased, while her new currency is perfectly stable, *i.e.*, its exchange value is good and does not fluctuate. When the Fourth Assembly of the League of Nations met in 1923 it passed a resolution in which the following words occurred: "The Assembly notes with great satisfaction the success of

the most notable effort of economic reconstruction since the war," and it went on to state that without international co-operation the scheme could never have been carried through.

What was done in Austria has recently been started in Hungary. This was undertaken as the result of a request to the Council of the League by the states of Roumania, Jugoslavia and Czechoslovakia in September 1923. The method is similar to that followed in the case of Austria; in carrying it out the League has been able to settle a number of disputes between Hungary and her neighbours and substitute in Eastern Europe a friendly atmosphere for one pregnant with possibilities of war.

Other economic problems dealt with by the League may be summed up under the two headings of (a) general and (b) special problems. Most of the general problems are of too technical a nature to be dealt with in a small book of this sort. They include investigations by the League into the question of Double Taxation, or the taxation of a man's property by two different states, the evasion of taxation, the treatment of aliens, methods of collecting customs duties,

and many other matters affecting international relations.

The special problems dealt with by the League include a scheme for the settlement in Greece of some hundreds of thousands of Greek inhabitants of Asia Minor who fled from their homes when Greece was defeated by Turkey in 1922. This is now in course of being carried out by a Settlement Commission appointed by the League. Advice and help have been given to the free city of Danzing in settling its financial problems. At the request of the Albanian government the League has appointed a financial adviser, a Dutchman, to help Albania to organise her national finances. These are some of the many ways in which the League has helped to solve problems which individual states were unable to solve on their own initiative or with their own resources.

(2)—*Conventions regarding Communications, Transit and Commercial Disputes*

One department of the League's economic work remains to be described—its treatment of questions of international transport by land and water. Nations in their commercial dealings with one another have to

make use of various forms of communications such as the telegraph, the telephone, the steamship, the railway, roads, rivers, canals and so on. Without communications there would not only be no trade between states but, as we have seen in Chapter 1, the peoples of the world would live in isolation. Isolation is the worst thing that can befall either an individual or a nation. The most terrible form of punishment for a criminal is solitary confinement. So in the case of a state the most certain way to cripple its progress and culture is to cut it off from all communications with the outside world. Communications, therefore, are of the highest importance to the well-being of the world.

The policy of the League of Nations with regard to this matter is summed up in a portion of *Article 23* of the Covenant. According to this, provision is to be made "to secure and maintain freedom of communications and of transit." Take a political map of the world and find out from it all those states which have not immediate access to the sea, but whose communications with the sea have of necessity to pass through the territories of other states. You will at once see how important is this question of freedom

of communications. Try to imagine what would be the effect upon an inland state such as Czechoslovakia if its neighbour states refused to allow its goods upon their roads or railways. As another example, study the course of the river Danube, the river Rhine or any other great international waterway, and it will at once be obvious how important it is to the peace and well-being of the world that the navigation of these should be free, and that no state adjoining one of them should have special privileges over others or should be able to restrict others in their use of these vital highways of commerce.

International disputes have often arisen in the past out of questions of external communications. In the history of relations between Holland and Belgium the question of the freedom of the River Scheldt has played a great part. Russia in her earlier history fought great wars with her neighbours in order to gain access to the Baltic and the Black Sea. Many other examples of this sort could be given. At the present day communications are not only more important than ever, but they have become so complicated that they are more likely than ever to become subjects of dispute between

states. Only by international action can such questions be settled. Such action must be as prompt as possible; it must also be impartial, *i.e.*, it must be based upon the doctrine that each nation shall be willing to accord to others such freedom of communications as it desires for itself.

The organisation which the League has constructed to deal with questions of communications consists of two bodies. In the first place there is a large body, called the General Conference. As its name suggests, it is a general conference of experts representing all the States Members of the League, and occasionally other states. The General Conference has up to the present (1925) held two meetings, one at Barcelona in 1921 and one at Geneva in 1923.

The other body is known as the Advisory and Technical Committee on Communications and Transit. This is a small committee of experts which meets frequently and not only gives advice to the League when so required, but also may act as mediator in disputes between states over questions of communications.

Much of the work performed by these two bodies is too technical in nature to be

described here, but attention may be drawn to a few of the subjects dealt with by them. The General Conference at Barcelona reached a unanimous agreement on the question of the freedom of *transport in transit*, i.e., the transport of the goods of one state through the territories of another, when they have to pass through the other in order to reach their destination. It also framed general rules regarding the use of "navigable waterways of international concern" which, it is hoped, will largely increase the liberty of river communications throughout the world. The General Conference at Geneva adopted an international convention regarding railways, which contains a whole code of rules for international co-operation in railway transport. It also adopted an international convention regarding ports, by which the members of the League guarantee to one another equality of treatment in, and freedom of access to, their maritime ports.

The work of the Advisory and Technical Committee has been mainly that of preparing for the General Conference the various conventions or international agreements which have come before it. It is now busying

itself with more problems arising out of railways, ports, and electricity.

Such, up to the present, is the financial and economic work accomplished by the League. It has been characterised by energy and thoroughness ; it has been inspired by a sincere desire to ensure fairness of treatment among nations. Success can only ultimately depend upon how far the League is able to enlist the voluntary co-operation of the states of the world. The greatest enemy to economic co-operation among nations is ignorance. The League strives to overcome this by publishing all available information about its activities. This chapter can give only a bare outline of what is really a big subject. If it stimulates readers to add to their knowledge by studying the actual publications of the League, it will have achieved its object.

C—JUDICIAL WORK

The origin, composition, organisation, seat, duties and powers of the Permanent Court of International Justice have been described in the previous chapter.

Under *Article 14* of the covenant, the functions of the Court are twofold : Judicial

and Advisory. Its judicial functions are defined as follows:—"The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it." Its advisory functions are based upon the last sentence of the Article:—"The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly."

The Court during the last three years gave judgments in a number of important cases submitted to it by the League. The following are two examples of several cases which were satisfactorily settled by the Court:—

(1) In November, 1921, the French Government and the native princes in Morocco and Tunis issued what were called Nationality Decrees conferring French nationality upon certain inhabitants of those states. Among them were a large number of Maltese, who by English law are British subjects. These people were then called up for military service with the French army, a proceeding to which they strongly objected. When pressed by Great Britain, France refused to submit the matter

to arbitration. Great Britain, therefore, brought the matter before the Council of the League of Nations which referred it to the Court with a request for an opinion as to whether the French Government was competent to decide such a matter or not. The Court replied in the negative. France therefore agreed to submit the dispute to the Court for judgment, but before the case came into Court an agreement had been reached between the two powers and the dispute ended.

(2) After the Great War certain territories in Germany were ceded to Poland. The Polish Government evicted the German people in Poland from the properties which they occupied under contracts concluded with the German authorities. The Court was asked to decide whether the League, under the Polish Minorities Treaty, was competent to examine the action taken by the Polish Government in evicting the German people from the properties they occupied, and whether the position taken up by the Polish Government could be justified. When the case came up before the Court, written statements were filed and oral statements were made by the representatives of

Poland and Germany. The Court decided that the Council of the League was competent to examine the measures taken by Poland regarding the position of German Minorities, that the action of the Polish Government was not in conformity with the international obligations assumed by them with respect to minorities, and that *Article 4* of the Polish Minorities Treaty could be applied if the parents of the persons in question were habitually resident in the ceded territories at the time when such persons were born.

These are two instances of the work of the Court, though many others could be quoted.

Codification of International Law

In pronouncing judicial and advisory opinions the Court can only state the existing laws concerning international relations; it cannot make international laws. In other words the Court can codify international law but cannot legislate. The codification, however, indirectly stimulates legislation in international affairs by the appropriate governmental machinery when it is made to feel that its existing law as stated by the Court does not seem to correspond to the present needs of the community of nations.

D—MISCELLANEOUS ACTIVITIES

(1)—*The Protection of the Rights of Minorities*

When the Great War came to an end it was decided as a matter of common agreement among the powers making the various treaties of peace that all minorities, granted special rights in the treaties, were to be placed under the protection of the League of Nations. Thus the League guarantees their rights to them.

What is a minority? The word comes from a Latin word meaning "less than." So a minority in the sphere of politics is a collection of people differing in certain ways from the mass of the population of the state in which they have either permanent or temporary residence, and smaller in number than the people from whom they differ.

In the early days of man's history majorities were usually intolerant towards minorities; often they stamped them out or enslaved them. Sometimes the dominant majority forced them to adopt its own language, customs, and religion. But as civilisation progressed men became more tolerant; people began to realise that minorities had rights

worthy of respect. Certain states therefore adopted the practice of giving guarantees of various kinds to their minorities. The ancient Greeks developed the idea of hospitality towards foreigners by a series of rules which were regarded as having peculiar religious significance. The Romans had special courts and special law for foreigners resident in Roman territory. The early Khalifs gave certain privileges called "capitulations" to Christians resident in or trading to the Levant. The Norman kings of England gave special protection to the Jews who settled in certain English towns. In India protection of the rights of aliens was a feature of the laws of the Maurya and Moghul Empires. Ancient Persia, Siam, China, Japan and Burma too had special laws defining the rights of aliens.

In the case of those who are nationals of a country but differ from the mass of their countrymen in certain important respects the first question that arose in early days was that of religion. Originally most religious minorities were treated with not only intolerance but cruel barbarity. The Romans threw Christians to the lions; Philip II of Spain sent Protestants to the stake;

Protestants in England sent Catholics to Tyburn; the Turks made galley-slaves of their Christian prisoners. Gradually, however, liberty of thought has come to be recognised as a fundamental right of man. From the sixteenth century onwards states have adopted a more and more tolerant attitude towards religious minorities. The protection of the rights of religious minorities, indeed, has, from the time of the Treaty of Westphalia (1648) onwards, been the subject of guarantees made in international treaties.

In the nineteenth century the principle of general religious toleration was laid down by the Congress of Berlin in 1878, when it stated in the clearest terms that no state would be admitted to the comity of European states unless it gave full religious liberty to all its nationals as well as to foreigners, and barred no one on religious grounds from exercising his full civil and political rights.

At the end of the Great War many new states like Czechoslovakia, Poland, Yugoslavia, etc., were formed. All of them contained important minorities. Thus Czechoslovakia contains many Germans; Poland has Jewish, German and other minorities; Yugoslavia has certain Mussulman

minorities. To all such minorities the various peace treaties conceded certain rights which each state pledged itself to make fundamental law, *i.e.*, law which cannot be overridden by any other law. Thus minorities were granted (*a*) protection of life and liberty, (*b*) free exercise of religion, (*c*) civil and political equality, (*d*) free use of their mother-tongue and (*e*) the right to establish their own religious, social or educational institutions. As we have already seen, all these minorities were placed under the protection of the League of Nations.

When the first Assembly of the League met, the question of the rights of minorities was raised in connection with the discussion which arose regarding the admission of new members. It was then decided that no state should be admitted to the League unless it agreed to accept and carry out the principles mentioned above regarding minorities. On these terms Albania and Finland were admitted to membership in 1921, and Esthonia, Latvia and Lithuania in 1922.

In order that the League's guarantee of the rights of minorities may be really effective, rules have been drawn up setting forth the procedure to be followed in dealing

with minority questions. A minority whose rights, guaranteed by the League, are being infringed or are in danger of being infringed, may petition the League to interfere in the matter. The petition must not ask for the political independence of the particular minority, it must abstain from violent language and it may not be sent from an anonymous source. Copies of it are circulated to the members of the Council and to the state whose action is complained of, which may submit to the Council an official statement concerning the matter in question. The president and two members of the Council then consider the petition and report to the Council what action they consider should be taken. Several petitions of this sort have already been successfully dealt with by the League; others are now in course of consideration.

(2)—*The Administration of the Saar Basin*

The district known as the Saar Basin with the town of Saarbruck as its capital is a valuable industrial district which formed a part of the late German Empire. By the Treaty of Versailles its mines, which produce over 11 million tons of coal annually, were

ceded to France. As the territory could not be ceded to France, it was placed under the direct administration of the League of Nations in which position it is to remain until 1935 when the people by a plebiscite, or mass vote, are to decide whether they are to rejoin Germany, join France, stay under the League, or become an independent state.

The government of the Saar Basin is in the hands of a Commission of Five appointed by the Council of the League of Nations. The Commission consists of one French Member, one native inhabitant of the Saar Basin who is not a Frenchman, and three members belonging to three countries other than France and Germany. At present they are a Dane, a Belgian, and a Canadian. The members of the Commission are appointed every year, but may be re-appointed at the discretion of the Council of the League.

As little change as possible has been made in the institutions of the territory. The population is almost entirely German, and their laws, regulations, system of taxation, civil and criminal courts remain as they were under the German Empire. They also retain their local assemblies, their schools, their language, and full religious liberty.

with minority questions. A minority whose rights, guaranteed by the League, are being infringed or are in danger of being infringed, may petition the League to interfere in the matter. The petition must not ask for the political independence of the particular minority, it must abstain from violent language and it may not be sent from an anonymous source. Copies of it are circulated to the members of the Council and to the state whose action is complained of, which may submit to the Council an official statement concerning the matter in question. The president and two members of the Council then consider the petition and report to the Council what action they consider should be taken. Several petitions of this sort have already been successfully dealt with by the League; others are now in course of consideration.

(2)—*The Administration of the Saar Basin*

The district known as the Saar Basin with the town of Saarbruck as its capital is a valuable industrial district which formed a part of the late German Empire. By the Treaty of Versailles its mines, which produce over 11 million tons of coal annually, were

the work of the Commission and closing with the following sentence :

“The Council expresses again its great appreciation of the administrative work achieved by the Governing Commission during three-and-a-half years in particularly difficult circumstances, and assures the Commission of its whole-hearted support in the accomplishment of the task entrusted to it.”

(3)—*The Protectorate over the Free City of Danzig*

The Free City of Danzig is one of the richest ports of the Baltic Sea. Its area is about the same as that of the Saar Basin—700 square miles. It has a population of about 350,000 or about half that of the Saar Basin. Its population is almost entirely German, but its trade is chiefly Polish. It has a large ship-building industry, and an important timber export trade. Its chief imports are agricultural produce and food-stuffs.

At the Peace Conference Danzig presented a difficult problem to the Allies. It is the natural outlet of Poland to the sea. At the same time it could not be ceded to Poland because of its German population. After

The work of the Commission has not been easy. It may be said to be an alien government imposed upon the people without their consent. One of its chief objects therefore has been to win the support of the people. During its first two years of existence, before any new laws were passed or any new taxation imposed, the Commission always consulted Municipal and District Councils. In March 1922, however, an Advisory Council of thirty representatives elected by all the inhabitants of the territory was set up, and since then the Commission has attempted to carry out its work as far as possible by collaboration with the Advisory Council. The inhabitants have the right to petition the Council of the League with regard to their grievances. As may be expected, they have made full use of this right, and the Council has had to deal with many petitions.

In 1923 the Council of the League was requested by Great Britain to hold an inquiry into the working of the Commission. All five members were therefore summoned to Geneva to discuss the problems connected with their administration of the territory. As a result of its investigations the Council unanimously passed a resolution supporting

Popular Assembly of 120 members elected for four years, and a Senate of 22 members composed of the 8 heads of administrative departments, and 14 other members. If the Senate and the Popular Assembly have a difference of opinion, the former must either give way to the latter or submit the matter to a referendum. The 8 heads of administrative departments are elected for four years, and their position is somewhat similar to that of a minister in India.

The chief task of the League with regard to Danzig is to maintain good relations between the Free City and the Republic of Poland. Many points of dispute have arisen out of subjects either unforeseen in the Peace Treaty or not made sufficiently definite. Sometimes they have been settled by the High Commissioner of the League; at other times the Council has dealt with them. Most of them have been dealt with in a way entirely satisfactory to both sides; in fact so good are the relations at present between Poland and Danzig that disputes are usually settled without reference to the League.

In one matter the League has given assistance to Danzig. Soon after the foundation of the Free City its financial pos-

became extremely bad on account of the extraordinary fall in the value of the German mark, the current coin in Danzig. With the aid of the Financial Committee of the League a new Danzig currency, the unit of which is the "gulden" (equal to $1/25$ of a pound sterling) has been introduced, and the finances of the City have been put upon a stable footing.

E—SOCIAL AND HUMANITARIAN WORK

(1)—*The Work of the Health Organisation*

At the end of the Great War Europe was threatened with a great outbreak of epidemic diseases. Terrible typhus and relapsing fever epidemics had started in Russia and spread into Eastern Poland, while most countries of the world suffered more or less severely from an influenza epidemic of a peculiar virulence. It was obvious to the founders of the League that the public health of the world was a matter of international concern which must be dealt with by a special organisation. *Article 23* of the Covenant therefore declared that the Members of the League should "take steps in matters of international concern for the prevention and control of disease."

Early in 1920 the Council of the League summoned an International Conference of health experts to draw up a scheme for the organisation of the Health department. This conference recommended that as an immediate step towards stamping out the epidemics threatening Eastern Europe, a temporary Epidemic Commission of three members should be appointed to work with the Health departments of the governments of the Eastern European states concerned. This was carried into effect by the Council in May of that year.

But the drafting of a constitution for the League's Health Organisation was not an easy task. There was already in existence an international health organisation known as the *Office international d'hygiène public* (the international office of public health) with a membership of 33 states and its seat in Paris. The Conference wished to make this the basis of the League Organisation, but the United States of America objected, so the scheme had to be dropped. Not until 1923 was a constitution settled upon which was acceptable both to the Assembly of the League and the *Office international*.

By this constitution the League has an Advisory Council, a Health Committee, and a Health Section in the Secretariat. The Advisory Council is the Committee of the *Office international* acting as a special body to advise the Health Committee on any question submitted to it. The Health Committee is composed of 16 members chosen partly by the Committee of the *Office international* and partly by the Council of the League. It directs the health work of the League and advises the Council and Assembly on all health matters.

The work of the Health Organisation may be conveniently summed up under four headings: (1) Intelligence work, (2) work, in connection with scientific researches, (3) work in securing international co-operation to combat disease and (4) collaboration with other departments of the League's activities.

In carrying on intelligence work the Health Organisation collects information of all kinds that is of importance to Public Health administration. In the first place it collects information about epidemic diseases. This is published monthly in a paper known as the "*Epidemiological Intelligence Bulletin*." In this journal have already appeared

statistics collected from every country in the world, regarding cholera, typhus, relapsing fever, dysentery, smallpox, anthrax, scurvy, etc. It also collects information about the Public Health Administrations in the various states of the world. The reports that it issues on this subject are circulated to all countries. Further it arranges what are called "interchanges" of Public Health officials, whereby groups of officials from various parts of the world study the Public Health Administration of some particular state by passing through a period of actual apprenticeship in its health service. By the end of 1923 five of these "interchanges" had been held, while four were planned for 1924.

In connection with scientific researches the work of the Health Organisation consists chiefly in giving help to scientific discoverers in applying their discoveries in practice. But no attempt can be made here to describe the valuable work of the League in this sphere since the details are too technical.

In the third sphere of its activities, that of securing joint action in combating epidemic disease, the League began, as we have seen, by appointing a special Epidemic Commission to deal with epidemics in

Eastern Europe. This Commission started its work in Poland whence it extended its activities into Latvia and Russia. It bought and distributed to the various health authorities all sorts of necessities which they were at first unable to obtain—such things as clothes, soap, drugs, vaccines, hospital stores, motor transport, food and fuel. In Poland it furnished complete hospital equipment for 50 hospitals of 50 beds each. Its activities are too numerous to be catalogued here; suffice it to say that it still continues its splendid work of saving life and stamping out disease in regions which without its support could not have saved themselves from a most appalling situation.

Towards the end of 1922 after the Greek defeats at the hands of the Turks in Asia Minor, when a horde of dirty, destitute, helpless and starving Greek refugees began streaming out of Asia Minor, the Greek government requested the help of the Epidemic Commission to prevent the outbreak of epidemic disease among the refugees. Two members of the Commission were therefore sent to assist the Greek government. They organised a preventive vaccination campaign among the refugees, some 550,000

of whom were vaccinated or inoculated against smallpox, cholera and enteric fever. The League is now concerned with the problem of helping Greece to stamp out malaria and to organise a really efficient Public Health Service.

In the autumn of 1921 Russia gradually sank into the throes of a terrible famine which lowered the powers of resistance of her population against disease. The diseases which the Epidemic Commission had hitherto been combating with success once more spread with alarming rapidity all over Russia. Refugees bringing with them infection of all kinds began to stream by hundreds of thousands into the Baltic States and Poland. Many of these were members of these states returning home from Central Russia and Siberia, whither they had been forcibly removed by the Russian armies during the relentless struggle against Germany in 1915 and 1916. These people had to be settled in new homes; work and food had to be found for them; and a system of quarantine stations had to be set up for detaining and isolating all carriers of disease.

This task was far beyond the powers of these newly-formed states. If, however, it

were not successfully performed there was grave danger of typhus, relapsing fever and cholera spreading in epidemic form over the rest of Europe. Poland therefore suggested that the League should summon a European Health Conference to deal with the situation. The Council of the League requested Poland to summon the conference and for this purpose placed at her disposal the services of the Health Organisation. So on 20th March 1922 the Warsaw Health Conference met. It was attended by the delegates of 27 countries. After collecting all the necessary information the Conference decided upon a series of measures for stamping out epidemics in Eastern Europe and especially in Russia.

The first measure proposed was the establishment of sanitary centres at the important railway junctions and of arrangements for "cleaning up" some of the big towns. Unfortunately this has not yet been put into practice, partly through lack of funds, and partly because the various states concerned have not yet come to a political agreement in the matter.

The second proposal was that courses for the training of public health officials should be organised in Warsaw, Moscow and

Kharkov. These were started in November 1922 and have proved of great value, eminent French, British and German doctors being engaged as lecturers in addition to local ones. Little by little as the courses proceed the appalling deficiency of doctors and public health officials is being removed.

The third proposal was that the various states of Eastern Europe should come to agreements with each other for mutual help in Health Administration by notifying each other of outbreaks of epidemics, by defining what measures should be taken at their frontiers to prevent the spread of epidemics, and by exchanging any information that is of value in public health matters. A number of these "Conventions," as they are called, have already been made.

Other activities of the League's Health Organisation include enquiries into the arrangements regarding the prevention of epidemic diseases in the Near East, into diseases in Tropical Africa, into sanitary regulations in Far Eastern ports, into the causes of cancer and into the methods of combating malaria. As a result of these a great mass of information of the highest value is being accumulated, and suggestions

are being made for reforms and improvements.

Finally, the Health Organisation co-operates with various other League Organisations. In collaboration with the International Labour Office it studies anthrax and other diseases arising out of or affecting industrial conditions. In collaboration with the Opium Committee it is enquiring into the amounts of opium and other dangerous drugs required for medical and scientific work. In collaboration with the Transit Committee it studies methods for preventing the spread of epidemics along the various international waterways.

The above is a very brief outline of the work of the League in building up international co-operation in matters of public health. Enough has been said to show the reader that the day has come when the spread of epidemic diseases can only be prevented by international effort. In the fourteenth century much of the world was visited by a terrible plague called in England the "Black Death," which killed off anything from $\frac{1}{3}$ to $\frac{2}{3}$ of the population of the districts it visited. In those days there was no way of combating this disease; people were

simply helpless; states could do nothing. To-day there exists in the world a great body of scientific knowledge, trained experts by the thousand, and all necessary materials for coping with epidemic diseases. But if the supreme test comes these will only be partially effective unless there is complete international co-operation. It is this that the League of Nations is attempting to achieve.

Besides the organisation of international co-operation in matters of public health, the League has been engaged in other social and humanitarian activities of a very varied kind. These are so numerous that a complete account of them is outside the scope of such a book as this. A few of the more striking achievements of the League in this sphere of its work may be conveniently described.

(2)—*Suppression of Traffic in Opium and other Dangerous Drugs*

Opium is one of the most valuable drugs known to medical science. It is universally used as a destroyer of pain. At the same time its abuse for purposes of self-indulgence is one of the great problems of the present day. Originating chiefly in China the abuse

of opium-smoking and opium-eating has spread widely throughout the world to such an extent that it is a danger to the progress of mankind.

About the year 1906 certain of the more advanced states came to the conclusion that only by international co-operation could this evil be rooted out. At that time China had decided to stamp out the abuse of opium in her own territories. But it was obvious to the missionaries working among the Chinese that she would be unable to carry out her decision without the co-operation of other countries. So at the invitation of the United States of America an International Opium Commission met at Shanghai in 1909. Thirteen states, among them China, Japan, Persia and Siam, sent representatives to this meeting. The Commission denounced the abuse of opium as degrading to civilised countries, laid down general lines along which the evil should be dealt with, and agreed to give all assistance possible to China.

Three years later, again at the request of the United States of America, an International Conference met at the Hague and drew up an International Convention regarding opium and other dangerous drugs such as

morphine and cocaine. This was based upon the recommendations of the Shanghai Commission. The representatives of forty states signed this Convention. By it they agreed to control the distribution of raw opium and to institute measures for the gradual suppression of the use of prepared opium, *i.e.*, opium prepared for consumption by various processes such as dissolving, boiling, roasting or fermentation. They also agreed that the other dangerous drugs should be used only for medical or legitimate purposes and should be manufactured, sold and distributed under government licence only.

The Convention could not come into force until it was ratified by the governments of the states represented at the Conference. This was a matter of some difficulty. By June, 1914, however, a number of ratifications had been made and it looked as if the Convention would soon come into force. The outbreak of the Great War put an end to any such hopes.

At the end of the War a number of states were anxious to take more effective action to suppress the evil. When therefore the Treaty of Versailles was made, a clause was inserted by which the signatories of the treaty

bound themselves to carry out the terms of the International Opium Convention of 1912, while by *Article 23* of the Covenant of the League of Nations the League was entrusted with the duty of supervising the execution of this clause.

The first action of the League in carrying out this duty was to appoint an Advisory Committee on Traffic in Opium and other Dangerous Drugs. This was composed of representatives of China, France, Great Britain, India, Japan, Holland, Portugal and Siam, while later representatives of America, Germany, and Yugoslavia were added. This Committee, which has already held several sessions, has in the first place concerned itself with taking steps to secure that the provisions of the Convention are properly carried out by the states agreeing to it. It has urged governments to impose very severe penalties upon persons concerned in the abuse of dangerous drugs, has enquired into their manufacture and production, and by publishing useful information has helped governments to take more effective measures in controlling the drug traffic.

In the second place the Committee has proposed various new measures for dealing

with the problem. In practice it has been found to be impossible to prevent the illicit traffic in drugs unless something is done to limit the production of the raw materials from which they are made. These drugs are very small in volume; they can be easily hidden when being carried about; they are so valuable that the profits to be derived from their sale are a great source of temptation. The Committee has, therefore, recommended to the Council of the League that a new international agreement must be made whereby the governments of those territories where the poppy and coca leaves (from which most of these drugs are made) are cultivated shall limit their production to the amount required for legitimate uses. The states concerned in this are China, India, Turkey, Persia, Greece, Turkistan, Afghanistan, Bulgaria, Serbia, Java, Peru and Bolivia. The Council adopted this recommendation, and to decide the terms of the new international agreement convened two international conferences in Geneva in November, 1924.

The first conference was asked to deal with the prevention of opium-smoking in the Far East; the second, with the limitation of the

output of narcotics to the medical and scientific needs of the world. The two conferences discussed for nearly three months the problem of the control of opium and other dangerous drugs; but they broke up in January, 1925, without arriving at any unanimous decision. The American and the Chinese delegations withdrew from the conferences; but the delegates from the other states drafted certain proposals for consideration by the Assembly. Their most important proposals were:—"As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the states signatories of the present Protocol will strengthen the measures already taken in accordance with the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years

from the date of the decision of a Commission to be appointed for the purpose by the Council of the League." (Minutes of the First Opium Conference, Geneva.)

"A Permanent *Central Board* shall be appointed, within three months from the coming into force of the present convention. The members of the Boards shall be appointed by the Council of the League. The U. S. A. and Germany shall be invited each to nominate one person to participate in these appointments. The Contracting Parties agree to send annually to the Central Board, within three months after the end of the year, as complete and accurate statistics as possible regarding production of raw opium, coca leaves, cocaine, morphine, etc. The Board shall continuously watch the course of the international trade in those articles. If there is a danger of any country becoming a centre of illicit traffic, the Board shall have the right to call the attention of the Governments of all the contracting parties and of the Council of the League of Nations to the matter and to recommend that no further exports of the substances shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that

country in regard to the said substances.”
(Records of the Second Opium Conference.)

The proposals of the conferences were first considered by the Advisory Committee on Traffic in Opium and other Dangerous Drugs and then submitted to the Assembly on the 26th September, 1925. The Assembly adopted the report of the Advisory Committee and urged on all states to ratify or to adhere to the agreements and resolutions passed by the First and Second Opium Conferences. The Assembly also resolved that a Commission should be sent to Persia to study (*a*) the existing situation with regard to the cultivation of the poppy and (*b*) the replacement of a proportion of this cultivation by other crops.

(3)—*Repatriation of Prisoners of War*

Another important department of the League's Humanitarian activities has been its work in helping prisoners of war, liberated by the peace, to return to their homes, and in alleviating the misery of countless numbers of refugees driven away from their homes by the war or conditions after the war. As late as April, 1920, there were still nearly half-a-million prisoners of war without any means of getting home. Many of them were

living in conditions of dreadful hardship and misery. This was particularly the case with some 200,000 prisoners of war interned in Siberia. The Council of the League, therefore, entrusted Dr. Nansen, the famous Arctic Explorer, with the task of organising efforts for repatriating them. Adequate funds were placed at his disposal. It is impossible to describe here the difficulties of such a task. Dr. Nansen accomplished it in a little over two years at a cost of about £400,000. Under his management 427,386 prisoners belonging to 26 different nationalities were repatriated.

(4)—*Care of Refugees*

In the case of refugees the League has been faced by as complicated and difficult a task as that of repatriating prisoners of war. In 1920 there were over 15 lakhs of Russian refugees scattered about Europe. Most of them were completely destitute; many were starving. Various charitable societies were working for their relief, notably the Red Cross, but nothing had been done either to repatriate those who were willing to return to Russia or to enable the others to earn a living by their own work.

In order to cope with this problem the League summoned a conference of Government representatives to Geneva in August, 1921. As a result of this conference it was decided to entrust the task of dealing with these refugees to Dr. Nansen, as High Commissioner of the League. Since then he has been at work distributing relief to the starving and sending refugees to various parts of the world where they can get work. The States Members of the League have made generous contributions of money and food without which Dr. Nansen's task would have been hopeless.

Dr. Nansen has also been in charge of measures for helping the Greek Refugees from Asia Minor who were driven from their homes by the Turkish victories over Greece in 1922. Out of some 750,000 of these refugees not less than 80 per cent. were women and children, most of them without any of the necessaries of life. Food, clothes and shelter were urgently needed; hospitals and medical supplies also were indispensable as there was an appalling amount of sickness and disease among the refugees. In reply to an appeal from Dr. Nansen, Belgium, Italy, Great Britain, France, Greece, Poland and

other countries sent huge gifts of necessities. Great Britain for instance sent 2,00,000 suits of clothes.

It was obvious, however, that while charity might save the refugees from starvation or other forms of death, it would not solve the problem of settling them down in new homes. The Greek Government, too, was unable of its own resources to deal with the problem. Greece therefore appealed to the League to help her to float a loan to provide money for settling the refugees. After a careful enquiry the Council of the League decided to help Greece to raise a loan of from three to six million pounds sterling. The expenditure of this was to be controlled by a Committee appointed by the League and known as the Autonomous Committee. The Greek Government was to hand over to the Committee sufficient land for settling the refugees. The Greek Government agreed to these terms. A Committee of four members, presided over by Mr. Henry Morgenthau, formerly United States Ambassador to Constantinople, was therefore appointed and began its work in November, 1923. During 1923 also the League had in hand the task of improving the position of Bulgarians who

had been deported from Western Thrace to Thessaly and the island of Cerigo by the Greeks. Dr. Nansen was again in charge of this work. Not only did he secure from the Greek Government food and shelter for these people, but he has since been able to arrange for their repatriation.

The record of the humanitarian and social activities of the League is of particular interest, not only because of the way in which by prompt, systematised effort it has been able to bring about a substantial alleviation of human suffering and misery, but also because in carrying out this work it has been able to enlist the co-operation of countries such as the United States, Turkey and Soviet Russia, which are not members of the League. It is a particularly convincing example of the truth of a statement that has been made earlier in this book, namely, that at the present day no nation can afford to live in isolation. The happiness of the individual, the welfare of peoples, the progress of humanity as a whole, will as time progresses depend more and more upon international co-operation in every sphere of life.

(5)—*The Promotion of Intellectual
Co-operation*

Ever since the early days of civilisation in the world when learning and culture began to develop as a necessary part of the life of man, ideas originating in one part of the world have had a habit of spreading to other parts. A study of the early history of laws, languages, writing, or religious ideas will show to what a degree one people was indebted to others in matters of culture. Ancient India learnt many things from Ancient Greece; and Ancient Greece learnt many things from Ancient India. The Teutonic nations of the West derived their alphabet, religion, the bases of several of their sciences, and much else from the peoples of the Eastern Mediterranean. When the Ancient Romans conquered Greece they brought back to Italy numbers of educated Greeks as slaves to instruct their masters in matters of culture. The Burmese kings of the Pagan dynasty borrowed ideas from all their neighbours in building up the splendid civilisation of that period.

These are examples of ways in which early peoples found intellectual co-operation necessary and valuable. As civilisation has

progressed there has been increasing interchange of ideas between nations. Man is inquisitive by nature, and the learned men of one nation have always been anxious to find out what those of other nations have been thinking, saying or doing. It is not too much to say that where there has been the greatest exchange of ideas, there the greatest intellectual progress has been made. Rulers like Charlemagne, the Holy Roman Emperor, Akbar, the Great Mogul, Henry VIII of England, Peter the Great of Russia, and Frederick the Great of Prussia, realised this fact when they sought to attract to their courts learned and skilled men of all nations.

In modern times the wonderful growth of scientific knowledge and invention has been made possible only by a great deal of co-operation among men of different nationalities. In this and other realms of learning and culture the educated men of the world are becoming an intellectual brotherhood. Before M. A. Einstein could propound his theory of Relativity he had to study the scientific works not only of his own German nation, but of Frenchmen, Englishmen, Americans and many others. When he

published his theory, his ideas were almost immediately absorbed by the mathematicians and scientists of every nation. In the same way the researches of Lord Lister have affected medical theory and practice in every country of the globe. Any intellectual progress made by one nation is of the utmost importance to all.

Having this fact in view the League of Nations has taken up the task of studying methods whereby the exchange of ideas between nations may be made swifter and easier. At the First Assembly of the League in December, 1920, M. Leon Bourgeois, the eminent French scholar, was asked to consider how the League could best foster international co-operation in intellectual matters. He thereupon drew up a report which was published in September, 1921. In it he suggested that the League should appoint a Committee of not more than twelve members, to consider the subject. It was to be composed "of persons best qualified to deal with matters of education and science." The Council of the League adopted his report and invited a Committee of distinguished scholars from all parts of the world to meet in Geneva on the 1st August, 1922. Among them

were included such men as Henri Bergson, Einstein, Mme. Curie, and Gilbert Murray.

The Committee began its programme with an enquiry into the present conditions of intellectual life. Governments, universities, learned societies and various experts were asked to furnish all possible information, as a result of which the Committee has been able to publish a series of useful reports dealing with intellectual life in various parts of the world. The idea in publishing these reports is to draw attention to difficulties and problems to be overcome by common action. The Committee has been especially anxious to discover in what ways the League can help countries whose intellectual life has been endangered because of extreme poverty caused by the war. As a result of this enquiry assistance has been given to such countries as Austria, Albania, Bulgaria, Czechoslovakia, Esthonia, Hungary, Lithuania, Poland, Roumania, and Jugoslavia. This assistance has been of various kinds such as scholarships to universities, gifts of books and laboratory or other equipment, monetary help to enable impoverished professors, writers and artists to

spend their holidays abroad, funds to promote research, and so on.

The Committee has also encouraged the formation of national committees for intellectual co-operation. These have already sprung up in many states. It has organized an International University Office which collects information about the various universities of the world, their degrees, diplomas and courses of study, and arranges vacation courses for the study of modern languages, literatures and civilisations and any subjects likely to promote a better understanding among nations. Recently the Committee has been examining the question of securing international co-operation to help Japan to replace the libraries and scientific collections destroyed by the earthquake of 1923.

The work of the Committee is inspired by its belief that by helping nations to understand more about one another and to exchange ideas as frequently as possible, a common feeling of fellowship and peace is developed, whereas isolation and ignorance of one another's ideas breed contempt, hostility and actual war. This has been eloquently expressed by Professor Gilbert Murray in a report presented to the Second Assembly of

the League. "The Committee," he says, (speaking of another Committee of the League, the proceedings of which he was reporting) "realises the great importance of the organisation of intellectual work; it knows that the future of the League of Nations depends upon the formation of a universal conscience. This can only be created and developed if the scholars, the thinkers and the writers in all countries maintain close mutual contact and spread from one country to another the ideas which can ensure peace among the peoples." These words may be said to indicate the very essence of the constructive work of the League. The League, as will now be manifest to the reader, does not confine itself to the somewhat negative task of preventing wars; rather does it seek by positive action to build up peace.

CHAPTER V

THE LEAGUE AND THE PROBLEM OF THE REDUCTION OF ARMAMENTS

(a)—*The Task of the League.*

THE question of an all-round reduction of armaments by the chief powers of the world has for many years engaged the attention of statesmen. We have seen in Chapter I how as a result of the development of national imperialism in Europe from about 1870 onwards, the chief powers began a disastrous competition in armaments which, if maintained, was bound to end in war. The Hague Peace Conferences were powerless to check this competition chiefly because of the policy of Germany and Austria. The expense of maintaining huge armies and navies was so heavy that all states had to impose crushing taxation, while some were unable to make ends meet. Most sensible people readily admitted that such a state of affairs was nothing less than disgraceful, but no one could suggest a way of escape from it which was acceptable to all states. The tragedy of the situation lay in the fact that only by the co-operation of all states could anything really

effective be done. The necessary co-operation could not be achieved. Europe therefore gradually drifted into the most terrible war of history.

When the League of Nations was formed, one of the most important among the tasks assigned to it was the reduction of armaments. *Article 8* of the Covenant deals with this matter. We will quote it in full:—

“ The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

“ The Council, taking account of the geographical situation and circumstances of each state, shall formulate plans for such reduction for the consideration and action of the several governments.

“ Such plans shall be subject to reconsideration and revision at least every ten years.

“ After these plans shall have been adopted by the several governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

“The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

“The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes.”

In order to carry out the provisions of this article the Council at its session at Rome, in May, 1920, decided to set up a body of experts upon whose advice it could make its decisions. A permanent Commission of military, naval and air experts was accordingly set up for this purpose. Each state represented upon the Council appoints three experts (one in each of the three arms) to this Commission. Later on, however, at the request of the first Assembly of the League, the Council appointed another Commission, usually

known as the Temporary Mixed Commission, in order that thereby it might obtain other than merely specialist advice. The Temporary Mixed Commission is composed chiefly of people of recognised ability in political, social and economic matters. In order that the two Commissions may be in touch with each other's work six members of the Permanent Commission also sit on the Temporary Mixed Commission.

The question of disarmament is regarded by the League as being so important that a special section—the Disarmament Section—of the League Secretariat has been created to deal with it.

One of the first problems dealt with by the two Commissions was that of the private manufacture of arms, and the international traffic in arms. This was found to be a very complicated one. Both Commissions have recommended that it can only be solved by an international conference. They have therefore been applying themselves to the task of preparing some sort of general agreement to be adopted by such a conference when it meets.

The main problem of the reduction of armaments has been the subject of anxious

consideration by the Commissions. They have come to the conclusion that a really satisfactory scheme can be arranged only after long and careful preparation, and at a time when general political conditions are favourable. If there are wars or rumours of wars in the world no state will dare to reduce its armaments. Only when a feeling of peace, mutual trust and security obtains will the question of disarmament be seriously considered by governments. So while going on with their preparations for a scheme of general disarmament, the Commissions have, in the meantime, concentrated their energies upon things that, in their opinion, admit of immediate achievement.

In the first place the Commissions have proposed that the League shall invite states to limit their expenditure upon armaments. This suggestion has been adopted by the Assembly of the League which has passed several recommendations on this subject. The general tenor of these is that no government shall (except under certain conditions) exceed its present expenditure upon armaments until some definite general scheme of disarmament shall be put forward by the League.

The Commissions have also dealt with the question of chemical warfare. This centres mainly around the employment of poisonous gases in warfare. While condemning their use the League Assembly was unable to decide upon any method whereby its opinion could be enforced. At the suggestion of Lord Robert Cecil, however, the Temporary Mixed Commission in 1922 formed a special committee to find out exactly how future wars could be fought if no limitation were placed upon the use of poisonous gases and other scientific horrors. It hoped that in this way public opinion in the world might be inflamed against these horrible practices. The investigations of this Committee will have been published before this book appears.

While the League was at work on this problem the great naval disarmament conference between the United States of America, the British Empire, France, Italy, and Japan was held at Washington in February, 1922. In the Treaty which was made as a result of this conference these powers bound themselves not to use in warfare "asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices." This was a great stimulus to the work of the League,

and since then great efforts have been made to persuade all the States Members of the League to accept *Article 5* of the Washington Treaty by which this agreement was made.

Another task upon which the Temporary Mixed Commission and the Secretariat have been engaged has been that of collecting information from its members regarding their military policy. They have been asked to supply such information as the following: their population, territories and frontiers, the number of soldiers, etc., in their armies, etc., in time of peace, the amount of military materials they have at their disposal, and their annual expenditure upon armaments. From the replies received statistical tables have been drawn up and published. The value of such published information is very great. "War Office Secrets" are proverbial for creating suspicion and jealousy between states. If states will publish full information regarding their military policy much will be done to bring about better relations between them. The Council of the League has therefore resolved, as a result of the first statistical enquiry by the Temporary Mixed Commission, to keep it up-to-date, and to publish a year-book giving as complete

information regarding armaments as it is possible to collect.

But these various measures have not gone far towards a solution of the real problem. Three years ago Lord Esher made a suggestion to the Temporary Mixed Commission regarding a general plan for limitation of armaments. Taking into consideration the general needs of each state he worked out a ratio according to which each should agree to limit its armies and air-forces. Taking 30,000 men as the unit, he suggested the following ratio :—

Belgium	...	2	Netherlands	...	3
Czechoslovakia	...	3	Norway	...	2
Denmark	...	2	Poland	...	4
France	...	6	Portugal	...	1
Great Britain	...	3	Roumania	...	3
Greece	...	3	Sweden	...	2
Italy	...	4	Spain	...	3
Jugoslavia	...	3	Switzerland	...	2

The scheme could not be adopted because of the unfavourable condition of politics in the world at the time, but if the League does succeed in securing the adoption of a general plan of limitation of armaments it has in Lord Esher's suggestions a really sound basis upon which to work. On the other hand the discussion of this scheme did bring out more

clearly the real difficulty in the way of limitation of armaments: no state would dare to reduce its armaments if the political situation of the world were menacing. The Armistice of 1918 did not bring peace to the world; wars have flamed up in various quarters, social and political unrest and a general feeling of insecurity have everywhere prevailed. It was obvious, therefore, that the first duty of the League must be to remedy these conditions.

(b)—*The Draft Treaty of Mutual Assistance*

In July 1922 Lord Robert Cecil came forward with four proposals which were designed to bring about the general feeling of security necessary to the success of any scheme of disarmament. They may be summarised thus:—

- (a) “that no scheme for the reduction of armaments could be successful unless it were general;
- (b) “that in the present state of the world, the majority of governments could not carry out a reduction of armaments unless they received satisfactory guarantees for the safety of their respective countries;

- (c) "that such guarantees should also be of a general character; and
- (d) "that there should be no question of providing such guarantees except in consideration of a definite undertaking to reduce armaments."

These four proposals were adopted by the Temporary Mixed Commission which placed them before the Assembly of the League. The Assembly decided that the principle underlying them was sound and that they could best be carried into effect by means of a Treaty of Mutual Assistance between all the States Members. The Temporary Mixed Commission was thereupon instructed to draw up a draft treaty for the consideration of the Assembly. The draft Treaty of Mutual Assistance came before the Assembly at its meeting in 1923. This body accepted it with certain alterations. The Council was then asked to submit it to the governments of all the States Members of the League with the request that they would express their opinions upon it.

When the Assembly of the League met in 1924 everybody felt that its session was a very critical one. If it failed to come to a

really satisfactory decision regarding disarmament the League would be discredited as an effective instrument for bringing peace into the world, whereas if it achieved a measure of success in this hitherto baffling problem, an increase and gradual extension of its power and usefulness would probably ensue. In view of this feeling most of the States Members sent their most important representatives to the Assembly, particularly Great Britain and France, who were represented by their Prime Ministers, Mr. Ramsay MacDonald and M. Herriot.

On the Treaty of Mutual Assistance there was much difference of opinion. France specially felt that the guarantees provided for in the treaty were insufficient. A number of other states felt that difficulty in the way of the acceptance of the treaty lay in the fact that neither Germany nor Russia would be included because they were outside the League. Therefore at the suggestion of Mr. MacDonald a movement for their inclusion was started which met with some amount of success. Early in 1925, Germany expressed her desire for admission to the League. She however pointed out the difficulties of her position, in relation to

Article 16 of the Covenant which provides in the last resort for the exercise of *sanctions*. The Council at its thirty-third session held at Geneva, from 9th to 14th March, 1925, unanimously agreed to invite Germany to join the League as a permanent member of the Council and to play a part corresponding to her position in the world. Germany decided to join the League in 1926, and has since taken her part as a great power in the peaceful development of international life.

(c)—*Protocol for Pacific Settlement of International Disputes*

The Assembly of the League during its session in 1924 was at work upon the problem of finding some more effective methods of mutual guarantee than those contained in the treaty drafted in 1923. The British and French delegations jointly presented a resolution inviting the Assembly "to strengthen the solidarity and security of the nations of the world by settling by pacific means all disputes which might arise between states." The Assembly adopted this resolution and drew up *The Protocol for the Pacific Settlement of International Disputes*. "The Protocol contained a system of arbitration

from which no international dispute, whether legal or political, should escape. It provided for a military, financial and economic co-operation, which, by guaranteeing the security of states, would render possible a considerable reduction of national armaments. Thus the three factors of the problem, namely, arbitration, security and reduction of armaments were combined." The Assembly provisionally accepted the Protocol on the 22nd October 1924, and unanimously recommended it to Governments of States Members for acceptance. By the end of 1924, seventeen states, including that of one permanent member of the Council (France) and five non-permanent members (Belgium, Brazil, Czechoslovakia, Spain and Uruguay) agreed to accept the Protocol.

The Assembly while adopting the Draft Protocol in October, 1924, asked the Council to undertake certain preparatory work provided for in its various articles. Hence all papers concerning the Protocol, including the replies received from the various Powers, were placed before the meeting of the Council held on the 12th March 1925, under the presidency of Mr. (now Sir) Austen Chamberlain, the British Foreign Secretary.

At this meeting Mr. Chamberlain announced the British Government's decision to reject the Protocol. He also announced that Canada, Australia, South Africa, India, and New Zealand were also unable to accept it. In his speech he mentioned that "Since the general provisions of the Covenant cannot be stiffened with advantage, and since the extreme cases with which the League may have to deal will probably affect certain nations or groups of nations more nearly than others, His Majesty's Government conclude that the best way of dealing with the situation is, with the co-operation of the League, to supplement the Covenant by making special arrangements in order to meet special needs. That these arrangements should be purely defensive in character, that they should be framed in the spirit of the Covenant, working in close harmony with the League and under its guidance, is manifest. And, in the opinion of His Majesty's Government, these objects can best be attained by knitting together the nations most immediately concerned, and whose differences might lead to a renewal of strife, by means of treaties framed with the sole object of maintaining, as between themselves, an

unbroken peace. Within its limits no quicker remedy for our present ills can easily be found or any surer safeguard against future calamities."

Other members of the Council also spoke at the meeting. The representatives of France, Spain, Brazil and Uruguay wholeheartedly supported the Protocol. They conceived it to be an expression of the necessity for a world-wide arrangement as opposed to separate arrangements. The Czechoslovakian representative also supported it and gave a detailed answer to the British criticisms, but was attracted by the possibilities of development on the lines of regional pacts suggested by the British delegate. The Italian and Belgian representatives took broadly the British view. The delegate from Sweden welcomed the development in the direction of company arbitration, but he said that the government of his country was not yet ready to give their final opinion on the instrument as a whole. The Japanese representative gave no clear indication whether the government of his country supported the Protocol or not.

The Council after hearing all the representatives decided (*a*) "to refer to the Sixth

Assembly (held in September 1925) the declarations of the representative of the British Empire and the other Members of the Council, together with any declarations on the same subject which may be communicated to it by the Governments of the Members of the League, and instructs the Secretary-General to place this question forthwith upon the agenda of the Sixth Assembly;" and (b) "to postpone the work of preparation (for the International Conference on the Reduction of Armaments) which it had decided to undertake until the Sixth Assembly has given a decision on the question submitted to it." Almost all the states reported their final conclusions to the Secretary-General by the time the Sixth Assembly met at Geneva; and in September, 1925, on account of the difference of opinion amongst the European Powers, the Assembly decided that though for various reasons the League's general draft scheme, as defined in the Protocol, could not come into practice, its general outline—as distinct from its details—would be the basis of most of the achievements which might be looked for in the domain of arbitration, security and limitation of armaments.

(d)—*Treaty of Mutual Guarantee and
Arbitration Conventions*

The Sixth Assembly also asked the European Powers to explore, on the basis of the Protocol, the means which might lead to the negotiations for a security pact. The representatives of the German, Belgian, British, French, Italian, Polish, and Czechoslovak Governments, therefore, met at Locarno, from the 5th to 16th October, 1925, in order to seek by common agreement means for preserving their respective nations from war and for providing for the peaceful settlement of disputes of every nature which might eventually arise between them. They drafted a Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain and Italy, and also four Arbitration Conventions between (a) Germany and Belgium, (b) Germany and France, (c) Germany and Poland, (d) Germany and Czechoslovakia. The first article of the Treaty Provides for the stabilization of the present frontiers. The second article contains the undertaking by Germany, Belgium and France not to attack or invade each other or resort to war against each other. Regarding any dispute which is likely to lead to a rupture, the parties

should use the League of Nations as a court of appeal. Great Britain undertakes to use her forces against the nation responsible for a breach of the pact. She, however, is not to resort to war until the Council of the League has reported that such a breach has been made and has determined who should be held responsible for it.

The Treaty of Mutual Guarantee and the Arbitration Conventions as drafted at Locarno were signed in London on the 1st December, 1925, by the representatives of Germany, Great Britain, France, Belgium, Italy, Poland and Czechoslovakia. That a new current of thought was flowing across Europe was evident from the speeches delivered on the occasion of signing the historic pact. The French Premier, M. Briand, said—"The particularism of our countries is blotted out by this agreement and with it vanish the unpleasant memories." The German Foreign Minister, Herr Stresemann said—"It will usher a new era of co-operation between nations. May later generations have reason to think carefully of this day as the beginning of a new epoch." The British Prime Minister, Mr. Baldwin, said—"It is the firm intention of His

Majesty's Government to carry out scrupulously and loyally the solemn obligations which they have here undertaken." The British Foreign Secretary, Sir Austen Chamberlian, read in French a message from the King that His Majesty's dearest wish was that the great work of appeasement and reconciliation would provide a foundation of sincere friendship among nations.

From the clauses of the Locarno Pact (the Treaty of Mutual Guarantee and the Arbitration Conventions) signed in London, it is plain that the documents are intended to strengthen the League of Nations and not to weaken it. As a result of this treaty, Germany (in September 1926) entered the League of Nations on terms of equality with all the other members.

(e)—*Convention on Private Manufacture of Arms*

Another important work of the Mixed Commission for the Reduction of Armaments ought to find a place in this chapter. This Commission drafted a Convention on the private manufacture of arms. This draft has been approved by all the members of the Commission, including the American. The

Convention lays down that arms should never be exported by private firms without a licence from their own Government, and that this licence should not be granted except for export to recognised Governments. The Convention, when ratified by all the Powers, will, to a large extent, prevent recurrence of guerilla warfare in Poland, Albania, China and elsewhere.

*(f)—Resolutions of the Preparatory
Commission for the Disarmament
Conference*

The Preparatory Commission for the Disarmament Conference met in Geneva from the end of March to the end of April 1927. Various sub-committees furnished technical materials for the consideration of the Commission. The British and the French governments also submitted some draft proposals in order to come to an agreement on the methods of disarmament in as concrete a form as possible. The following twenty governments were represented :—Argentina, Belgium, British Empire, Bulgaria, Chile, China, Colombia, Czechoslovakia, Finland, France, Germany, Holland, Italy, Japan,

Poland, Roumania, Salvador, the Kingdom of the Serbs, Croats and Slovenes, Sweden and the United States of America.

The Commission could not draw up a draft convention in April 1927 covering every aspect of the subject. Some tentative agreements only were reached. It was decided to limit the effectives on service in armed forces of land, sea or air that could be immediately employed without mobilisation. It was decided to limit officers and men separately for land forces; several delegations, including the French, insisted that the same measure must apply to naval and air effectives, whereas the American, British and Japanese delegations considered this impracticable. The Commission adopted a number of texts, in first reading and with reservations, and adjourned till the 1st of November 1927 for the second reading. The April session served to bring out very clearly the nature and extent of the differences that still existed between different governments on the subject of reduction of armaments. The French representatives put forward the suggestion that annual expenditure on armaments should be limited. This proposal was supported only by the representatives of

Belgium, Poland and Sweden. The representatives of the other States were opposed to the proposal.

Chemical Warfare was the only subject regarding which a definite agreement was arrived at by the states represented on the Commission. They adopted a text abjuring entirely chemical and bacteriological warfare and any preparation in peace time of such methods of warfare.

It has been mentioned that the French representatives on the Disarmament Commission proposed that annual expenditure on armaments should be limited by a convention. In May, 1927, the World Economic Conference convened by the League of Nations met at Geneva. This conference was attended by 194 members of whom 157 were experts drawn from 50 countries in all quarters of the globe, including not only countries which were members of the League but even non-members. A set of far-reaching recommendations and resolutions concerning the Post-war economic situation vitally affecting the commerce, industry and agriculture of the whole world was accepted by the members of the conference. Two of the important resolutions concerning

the peace of the world are given below :—

- (a) “ The Conference, recognising that the maintenance of world peace depends largely upon the principles on which the economic policies of nations are framed and executed, recommends that governments and peoples of the countries here represented should together give continuous attention to this aspect of the economic problem, and looks forward to the establishment of recognised principles designated to eliminate those economic difficulties which cause friction and misunderstanding in a world which has everything to gain from peaceful and harmonious progress.”
- (b) “ Whereas the world as a whole still *devotes considerable sums to armaments and to preparations for war*, which reduce the savings available for the development of industry, commerce, and agriculture, are a heavy burden upon the finances of the different States, entailing heavy taxation which reacts upon their whole economic life and lowers their standard of living, the Conference expresses the earnest hope that all efforts to effect, by agreements between states, limitation and reduction of armaments, and particularly those under the auspices of the League of Nations, will have successful

results and thus alleviate the burden described above."

It is therefore confidently hoped that when the Preparatory Commission for the Disarmament Conference again meets in November, 1927, it will be able to find out, under the pressure of world opinion, a formula limiting the armaments of different States Members of the League.

CHAPTER VI

HOW THE LEAGUE IS FINANCED

(a)—*The Cost of the League*

WE have noticed in the previous Chapters the valuable work that the League has so far done in political, economic, judicial, social and humanitarian spheres of its activities. We have also noticed the work that the League has been doing for the reduction of armaments of the various powers with a view to promote international peace and co-operation. The task of the League is gigantic. Its activities are many-sided and its responsibilities immense. Considering the nature of the work that the League has undertaken to do, we find that it is one of the most economical organisations that has ever been created.

A question has often been asked "How many crores of rupees does the League cost the states which as members contribute to meet the expenses of its work?" And when the reply is that, including capital expenditure and creation of a working capital fund, the average annual expenditure of the League is less than rupees one crore and a half, people are surprised.

The average of the total authorised League budgets for 1921, 1922, 1923 and 1924 works out to be £902,370 or Rs. 1,35,35,550 per year. The figures for 1925 show that £906,325 or Rs. 1,35,94,875 were required for the year. The budgets of the Secretariat, the International Labour Office and the Court were all included in the above figures.

(b)—How the Budget is prepared

The Calendar year is the Financial year of the League. Every year in the month of April the Secretary-General prepares a budget of the expenses of the League. This is carefully examined by a supervisory commission in May of each year. The total budget includes the estimates covering respectively the activities of the Secretariat and special (auxiliary) organisations, the International Labour Organisation and the Permanent Court of International Justice. It also includes the estimates for capital expenditure and the contributions for the creation of a working Capital Fund. Every item of the budget has to be accounted for by the department concerned, and is subjected to close scrutiny by the Supervisory Commission which then drafts a report on the

whole budget. This report is circulated to the governments of the various members of the League together with a draft of the Budget itself. The Budget next comes before the Assembly which, however, refers it to a special Finance Committee for further minute examination before accepting it in its final form. All this is done in order that expenditure may be reduced to the lowest possible figure. Each committee, in dealing with the Budget, is concerned almost entirely with the question of how to effect economy in expenditure. On receipt of the report of the Finance Committee the Budget is passed by the Assembly of the League.

(c)—Allocation of Expenses and India's Share

At the time when the Assembly passes the Budget for the following year, it also fixes the share of expenditure to be borne by each State Member. The share of each State is fixed on the recommendation of the Committee on the Allocation of Expenses, in accordance with a schedule that has been agreed to after long consideration and debate.

In 1920, India's share was 25/395 of the total expenditure of the League, *i.e.*, she paid

£16,234 (Rs. 2,43,510) out of a total expenditure of £256,494 (Rs. 38,47,410); for 1924, her share was fixed at $\frac{65}{932}$ of the total expenditure for the year, *i.e.*, she paid nearly £63,000.

In 1920, the share of each of the Powers, Great Britain, France, Italy, Poland, Japan, and Canada, was the same as India's, *i.e.*, each of them paid $\frac{25}{395}$ of the total expenditure. For 1924, Great Britain's share was fixed at $\frac{88}{932}$ of the total expenditure for the year; France's at $\frac{78}{932}$; Italy's at $\frac{61}{932}$; Poland's at $\frac{25}{932}$; Japan's at $\frac{61}{932}$ and Canada's at $\frac{25}{932}$.

It will, therefore, be noticed that the Assembly almost every year, with the admission of new members, revises the scale of expenses to be borne by each Member State.

The budget total is expressed in gold francs and in American dollars. "The gold franc with its pre-war value of 5.1826 gold francs to the American dollar, is taken as the monetary unit of the League."

To calculate in English money the figures for the contribution of any Member State, twenty-five gold francs are reckoned to the Pound Sterling. The rupee value of India's contribution is determined by the rate of

exchange (number of rupees to the Pound Sterling) at the time of sending it to the Secretary-General of the League.

In 1924, India protested against what she considered to be the unduly high allocation of 65/932, considering Great Britain's share of 88/932 and the much lower allocations of other parts of the British Empire. At the Fifth (1924) Assembly the budget for the year 1925 was passed amounting to 22,658,138 gold francs or 4,371,963.5 American dollars or 906,325.5 Pounds Sterling. India's contribution for 1925 was slightly lowered from 65/932 to 60/935 of the total League expenditure, and Canada's increased from 25/932 to 35/935. In 1924, the Assembly also adopted a resolution requesting the Council to ask the Committee on the allocation of expenses to prepare a fresh scale to come into force as from 1926 for a period to be decided upon by the Sixth (1925) Assembly. The Committee prepared a new scale for the years 1926, 1927 and 1928; and India's share was reduced to 56/937 of the budget for the year 1926. When Germany entered the League in September 1926 and agreed to pay 79 units of the scale of expenditure, India's share was still further reduced to 56/1016

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of the budget for the years 1927 and 1928. On the 25th September, 1926, the Assembly approved the following scale for the allocation of expenses of the League for the years 1927 and 1928 :—

States	Units	States	Units
Abyssinia	.. 2	Italy	.. 60
Albania	.. 1	Japan	.. 60
Argentina	.. 29	Latvia	.. 3
Australia	.. 27	Liberia	.. 1
Austria	.. 8	Lithuania	.. 4
Belgium	.. 18	Luxemburg	.. 1
Bolivia	.. 4	Netherlands	.. 23
Brazil	.. 29	New Zealand	.. 10
Bulgaria	.. 5	Nicaragua	.. 1
Canada	.. 35	Norway	.. 9
Chile	.. 14	Panama	.. 1
China	.. 46	Paraguay	.. 1
Colombia	.. 6	Persia	.. 5
Costa Rica	.. 1	Peru	.. 9
Cuba	.. 9	Poland	.. 32
Czechoslovakia	.. 29	Portugal	.. 6
Denmark	.. 12	Roumania	.. 22
Dominican Republic	1	Salvador	.. 1
Esthonia	.. 3	Kingdom of the	
Finland	.. 10	Serbs, Croats and	
France	.. 79	Slovenes	.. 20
Germany	.. 79	Siam	.. 9
Great Britain	105	South Africa	.. 15
Greece	.. 7	Spain	.. 40
Guatemala	.. 1	Sweden	.. 18
Haiti	.. 1	Switzerland	.. 17
Honduras	.. 1	Uruguay	.. 7
Hungary	.. 8	Venezuela	.. 5
India	.. 56		
Irish Free State	.. 10	Total	1,016

The budget total for 1927, as approved by the League Assembly, is 24,512,341 gold francs. Hence the State Member which has been asked to contribute only 1 unit will have to pay 24,126 gold francs or £965 approximately. And as India has been asked to contribute 56 units, she will have to pay annually for the years 1927 and 1928 a sum of 1,351,056 gold francs or £54,040 approximately, which at the present rate of exchange is slightly more than seven lakhs and twenty thousand rupees.

CHAPTER VII

THE LEAGUE AND INDIA

(a)—*India's Position as Member*

By *Article 1* (para. 2) of the Covenant, only fully self-governing States or Dominions or Colonies can become members of the League. Is India a fully self-governing country? If not, how could she find a place in the Assembly of the League of Nations?

A glance at the list of fifty-six states which are at present members of the League will convince any reader of this book that except India all the other members are fully self-governing States or Dominions or Colonies. India could not in 1919, and cannot even now, claim that position in the world politics. How then could she become a member of the League? She became a member by virtue of her position as one of the signatories of the Peace Treaty signed in 1919.

All the Powers who took part in the Great War agreed to the creation of the League of Nations by a Covenant embodied in the

Treaty of Versailles, signed on the 28th June 1919. And India was one of them. Hence she came in as one of the twenty-nine Original Members of the League. The first sentence of *Article 1* of the Covenant clearly states that "the Original Members of the League shall be those of the signatories which are named in the Annex to the Covenant." India's name was included in the Annex as she was one of the signatories of the Treaty of Peace.

It is no doubt true that no other country in the world having political status similar to India's can now become member of the League. But as India has already gained admission to the League she is recognised by the World Powers as a self-governing country in all spheres of activities of the League. She can take part in all proceedings like any other member.

Some people think that unless the League can help India in gaining full self-government no purpose will be served by her remaining a member of this World Organisation. A clear answer to such a standpoint has been given, in the following words, by Professor Gilbert Murray, Chairman of the

Executive Committee, British League of Nations Union:—

“The League is intended to be a League of Free Nations, that is to say, of nations in which the government carries out the will of the people and is responsible to it. A League of democratic nations will be a democratic League, but *if the nations fail to secure democratic government for themselves, they cannot expect the League to do it for them.* The fact that the League will be operated by representatives of the various national Governments should not preclude the most intimate co-operation between the peoples, *provided* that the delegates chosen are really representative men and not merely officials or bureaucrats. The cause of any failure in co-operation should therefore be sought in the personnel of the delegates, not in the constitution of the League. . . . *There must however be somebody representing the Governments of all the Members of the League, capable of giving official consent to treaties, conventions, etc.* It might be, however, enacted as an amendment to the Covenant that the nominees to the Assembly and the Council (of the League) shall be members of the Elective

Legislature of the countries they represent and shall be elected to those posts by the bodies to which they belong."

India's representatives at the Assembly have made notable contributions to the discussions at Geneva. The speech of Sir Ali Imam on the admission of Albania (a small nation in which the population is half Moslem and half Christian) to the League made a great impression. The right Honourable V. Srinivasa Shastri's contributions to the general discussions were highly appreciated by the members of the League Assembly. The Maharajah (Jam Saheb) of Navanagar's intervention in the international steps to be taken to fight the scourge of typhus was also a notable contribution. India's representation in connection with the League Budget and the question of finance, and her application (which was granted) for being considered as one of the first eight states of industrial importance, and then securing the right to a seat on the Governing Body of the International Labour Organisation, have won for her a definite and important place in the counsels of the League. And her position there has helped

to raise her in the esteem and regard of the other nations of the world.

(b)—*India and Reduction of Armaments*

The budget of the Government of India for the year 1925-26 provided 56 crores and 95 lakhs of rupees (Rs. 56,95,00,000) for military expenditure out of revenues totalling 133 crores and 68 lakhs of rupees (Rs. 1,33,68,00,000). This shows that nearly 42 per cent. of the revenues of the Government of India had to be ear-marked for expenditure on the Army in India during 1925-26. This, no doubt, is a very high percentage, when we remember that India does not maintain a navy. She at present depends on Britain for protection from attacks by Sea.*

As the purpose of the League is to make wars increasingly difficult among States Members, so India need not be afraid of any invasion by land or sea or air by any power which is a member of the League. And almost all World Powers are now in the League. So by remaining within its

* His Excellency the Viceroy (Lord Reading) however announced on the 9th February, 1926, that "subject to the necessary legislation being effected, it has been decided to reconstruct the Royal Indian Marine as a combatant force to enable India to enter upon the first stage of her naval development, and ultimately to undertake her own naval defence."

MAP OF ASIA.

POWERFUL NEIGHBOURS OF INDIA, HAVE NOT YET JOINED THE LEAGUE.



membership India could reduce her armaments according to a scale approved by the League, on the recommendations of the two Commissions for the Reduction of Armaments which are now preparing schemes for the reduction of national armaments to the lowest point consistent with national safety. As a member India pays to the League less than 8 lakhs of rupees a year. If by remaining within its fold she can reduce her military expenditure by even a few crores of rupees, then no politician in India ought to grudge paying the small membership contribution.

Some day Russia and Afghanistan may give up their present attitude towards other nations of the world and apply for admission into the membership of the League. When Afghanistan and Russia join the League, India will have much less fear of invasion by them. The problem of guarding the frontier in India—which is now a serious problem—would then be far easier, and military expenditure could still further be reduced.

(c)—India and the International Labour Organisation

India, like all other States Members, is represented on the International Labour

Organisation. Her delegates take part in the International Labour Conference held every year. As India is one of the first eight of the industrial states of the world she is also represented (along with Great Britain, France, Germany, Italy, Belgium, Japan and Canada) on the Governing Body of the Labour Organisation. The draft conventions of the Labour Conferences, when ratified by the Legislature in India, become the law of the land.

Perhaps in no country have the decisions of the International Labour Conference led to greater results than in India. Among some of the conventions accepted and now laws of the land, or principles accepted by Government are:—

- (1) Adoption of a sixty-hour working week for labour.
- (2) Raising of the minimum age for employment of children from 9 to 12 years, and the reduction of the number of hours for which a child may be employed in a factory from 7 to 6 per day.
- (3) Modification of Indian Factories Act, so as to bring under control and supervision small factories

employing any ten persons, and whether using mechanical power or not.

(4) Prohibition of use of white phosphorous in the manufacturing of matches.

(5) Ratification of the unemployment convention of the Washington Conference, providing for the establishment of free labour exchanges, and reciprocity of treatment for immigrants under unemployment insurance schemes.

(6) Ratification of the convention concerning workmen's compensation for occupational diseases.

(7) A Maternity Benefits Bill.

In fact it may be said that in India, as a result of these decisions, a social revolution will take place. This will help in bringing about an world-wide equilibrium of social conditions. The conventions of the International Labour Organisation are therefore vitally affecting the life of the labourers in India.

(d)—India and the Opium Conference

On the recommendation of the Advisory Committee on Opium, the League of Nations

adopted 6 seers (12 lbs.) per 10,000 of the population as representing the amount of opium which may be regarded as safe for a country to consume with due regard to medical needs. India now consumes double the estimate of the League, for a Government report says that on an average every 10,000 of the population of the country consumes 12 seers (24 lbs.) of opium. In many large cities and manufacturing towns every ten thousand of the population consumes 30 to 144 seers (60 to 288 lbs.) of opium. The figures in China and Far Eastern countries are also very high. The League, therefore, convened two opium conferences at Geneva which sat for nearly three months (November 1924 to January 1925) and discussed the questions of (i) the limitation of production in general, (ii) the total suppression of opium smoking and (iii) the establishment of a rigid control of manufactured drugs such as morphia, heroin and cocaine.

India was represented at the conferences at Geneva. The conferences, as stated in Chapter IV of this book, failed to come to any definite decision regarding the policy to be adopted in the future for the suppression and control of the traffic in opium. The

reason why the conferences failed, was that the American delegation attached prime importance to the first question enumerated above, because it was ideal; and the British delegation laid emphasis on the third question because it was practical. However the conferences recommended the creation of a new Central Board to keep account of all transactions in opium and other drugs between nationals of different states.

The Board is to be appointed by the Council of the League, and the United States of America will have a representative on it. Its executive officials will be part of the League Secretariat. To it every Government will declare, in advance annually, the amount of drugs it considers it will require in the ensuing year; and the Board, to which will be regularly furnished, by each country, full statistics of the production of raw materials, of the amounts manufactured, the stocks held and the internal consumption, will thus be able to discover at any moment if imports in excess of a country's declared needs are going into that country. Its business, in that event, will be to draw the attention of the Government of the country to the fact; and if this

is not effective, to advise all exporting countries to suspend licences for export to the country in question altogether. When this Board is working it will be able to effect a real restriction of illicit trade. The Indian delegation whole-heartedly supported the creation of this new machinery for the control of traffic in opium and other drugs.

The opium conferences, though they failed to do what was expected of them, awakened public opinion in India regarding the existence of an evil which ought to be removed. In the Indian Legislative Assembly at Delhi the problem of opium consumption in India was discussed on the 12th and 13th March 1925, on a motion for the reduction of the demand in the Budget for the opium department. This motion for the nominal cut in the opium budget, to show the Legislative Assembly's disapproval of the Government of India's opium policy, was carried in a fairly full house. The Finance Member in the course of the debate promised to have an official enquiry into opium consumption in India, provided the provincial governments did not object to the holding of such an enquiry.

In regard to the opium policy of the Government of India, His Excellency the Viceroy (Lord Reading) stated to the members of the Council of State on the 9th February, 1926—"My Government have recently had under their consideration the adoption of a new policy regarding opium, which is in accordance with the trend of opinion in a number of other countries and also with views that have been freely expressed in some quarters on different occasions in India. As a result we have come to the conclusion that in order at once to fulfil our international obligations in the largest measure it is desirable that we should declare publicly our intention to reduce progressively the exports of opium from India, so as to extinguish them altogether within a definite period except as regards exports of opium for strictly medical purposes. We further propose to discontinue altogether the system of auction sales of opium in India."

India's participation in the opium conferences at Geneva, therefore, helped the members of the Indian Legislative Assembly and Provincial Legislative Councils to have a greater realisation of the moral aspect of the problem. They have now become conscious

of the existence of an evil which could be removed under the guidance of the League of Nations.

(e)—*India and Intellectual Co-operation*

India occupies a prominent place in the history of civilisation in the world. In September, 1921, when the League appointed a committee to foster international co-operation in intellectual matters, India's claims to a seat on the committee were recognised, and she was given a seat. Since then she has a representative on the Committee on Intellectual Co-operation—a committee consisting of only twelve persons—which deals with matters of education and science. The activities of this committee have been described in Chapter IV. Without a spirit of mutual understanding between nations the League cannot live. This fact was greatly emphasised by President Woodrow Wilson of the U. S. A., who conceived the establishment of a League of Nations to promote international co-operation and to achieve international peace and security. The League which at first concerned itself solely with improving the exchange of material products is now tackling also the methods of

accelerating the exchange of ideas between nations. And India, as a member of its Committee on Intellectual Co-operation, can play a great part in this work, by bringing, to the question of intellectual co-operation, treasures from the storehouse of Indian philosophy and thought.

APPENDIX A

THE COVENANT

OF

THE LEAGUE OF NATIONS

(With Amendments in Process of Ratification)

THE PREAMBLE.

THE HIGH CONTRACTING PARTIES.

In order to promote international co-operation
and to achieve international peace and security
by the acceptance of obligations not to resort to
war,

by the prescription of open, just and honourable
relations between nations,

by the firm establishment of the understandings
of international law as the actual rule of
conduct among Governments, and

by the maintenance of justice and a scrupulous
respect for all treaty obligations in the dealings
of organised peoples with one another,

Agree to this Covenant of the League of Nations.

ARTICLE 1. MEMBERSHIP.

The original Members of the League of Nations
shall be those of the Signatories which are named
in the Annex to this Covenant, and also such of
those other States named in the Annex as shall
accede without reservation to this Covenant. Such

accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE 2. EXECUTIVE MACHINERY.

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE 3. ASSEMBLY.

The Assembly shall consist of Representatives of the Members of the League.

The Assembly shall meet at stated intervals, and from time to time as occasion may require, at the Seat of the League, or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League, or affecting the peace of the world.

At meetings of the Assembly, each Member of the League shall have one vote, and may have not more than three Representatives.

ARTICLE 4. COUNCIL.

The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be Members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be Members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.*

The Council shall meet from time to time as occasion may require, and at least once a year, at

*Article 4, as amended, would have the following clause inserted here:—

The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council, and particularly such regulations as relate to their term of office, and the conditions of re-eligibility.

the Seat of the League, or such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

ARTICLE 5. VOTING AND PROCEDURE.

Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the Meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

ARTICLE 6. SECRETARIAT.

The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required.

The first Secretary-General shall be the person named in the Annex; thereafter the Secretary-General shall be appointed by the Council with the approval of the majority of the Assembly.

The Secretaries and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council.

The Secretary-General shall act in that capacity at all meetings of the Assembly and of the Council.

*The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 7. SEAT. QUALIFICATIONS FOR OFFICIALS.

IMMUNITIES.

The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

*Article 6. *This last paragraph as amended would read:—*
The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

ARTICLE 8. REDUCTION OF ARMAMENTS.

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due

regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to warlike purposes.

ARTICLE 9. PERMANENT MILITARY COMMISSION.

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military, and naval and air questions generally.

ARTICLE 10. GUARANTEES AGAINST AGGRESSION.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE 11. ACTION IN CASE OF WAR OR DANGER OF WAR.

Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that

may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall on the request of any Member of the League forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

ARTICLE 12. DISPUTES TO BE SUBMITTED TO
ARBITRATION OR INQUIRY.

*The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this article the award of the arbitrators shall be made within a reasonable time,

**Article 12 as amended would read:—*

The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision or the report by the Council.

In any case under this Article, the award of the arbitrators of the judicial decision shall be made within a reasonable time, and a report of the Council shall be made within six months after the submission of the dispute.

and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13. ARBITRATION OF DISPUTES.

†The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the Court of Arbitration to which the case is referred

†Article 13 as amended would read:—

The Members of the League agree that, whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration or judicial settlement, and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration or judicial settlement.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration or judicial settlement.

For the consideration of any such dispute, the court to which the case is referred shall be the Permanent Court of International Justice, established in accordance with Article 14, or any tribunal agreed on by the parties to the dispute or stipulated in any convention existing between them.

shall be the Court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against any Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 14. PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE 15. DISPUTES NOT SUBMITTED TO ARBITRATION.

*If there should arise between Members of the League any dispute likely to lead to a rupture,

* *Article 15. The first paragraph as amended would read:—*
If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration or judicial settlement in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof.

which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary-General, as promptly as possible, statements of their case, with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are just and deemed proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the

dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article XII relating to the action and powers of the Council, shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members

of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the Members thereof other than the Representatives of one or more of the parties to the dispute.

ARTICLE 16. "SANCTIONS" OF THE LEAGUE.

*Should any Member of the League resort to war in disregard of its covenants under Article XII, XIII, or XV, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately

*Article 16 as amended would read:—

Should any Member of the League resort to war in disregard of its covenants under Article XII, XIII, or XV, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the Covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between persons residing in the territory of the Covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not.

It is for the Council to give an opinion whether or not a breach of the Covenant has taken place. In deliberations on this question in the Council, the votes of Members of the League alleged to have resorted to war and of Members against whom such action was directed shall not be counted.

The Council will notify to all Members of the League the date which it recommends for the application of the economic pressure under this Article.

Nevertheless, the Council may, in the case of particular Members, postpone the coming into force of any of these measures for a specified period where it is satisfied that such a postponement will facilitate the attainment of the object of the measures referred to in the preceding paragraph, or that it is necessary in order to minimise the loss and inconvenience which will be caused to such Member.

to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the Covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the Covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconveniences resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the Covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all

the other Members of the League represented thereon.

ARTICLE 17. DISPUTES WITH NON-MEMBERS.

In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provision of Articles XII to XVI inclusive shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given the Council shall immediately institute an enquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article XVI shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE 18. REGISTRATION AND PUBLICATION OF ALL
FUTURE TREATIES.

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall, as soon as possible, be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE 19. REVIEW OF TREATIES.

The Assembly may from time to time advise the re-consideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

ARTICLE 20. ABROGATION OF INCONSISTENT
OBLIGATIONS.

The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

ARTICLE 21. ENGAGEMENTS THAT REMAIN VALID.

Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace.

ARTICLE 22. MANDATORIES. CONTROL OF COLONIES AND TERRITORIES.

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who, by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its

economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities of the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws

of the Mandatory as integral portions of its territory, subject to the safeguards above-mentioned in the interests of the indigenous population.

In every case of Mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the Mandates.

ARTICLE 23. SOCIAL ACTIVITIES.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

(a) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;

(b) undertake to secure just treatment of the native inhabitants of territories under their control;

(c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children,

and the traffic in opium and other dangerous drugs;

(*d*) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

(*e*) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914—1918 shall be borne in mind;

(*f*) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE 24. INTERNATIONAL BUREAUX.

There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE 25. PROMOTION OF RED CROSS.

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorised voluntary national Red Cross organisations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE 26. AMENDMENTS.

* Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such Amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

**Article 26, as amended, would read:—*

Amendments to the present Covenant the text of which shall have been voted by the Assembly on a three-fourths majority, in which there shall be included the votes of all the Members of the Council represented at the meeting, will take effect when ratified by the Members of the League whose Representatives composed the Council when the vote was taken and by the majority of those whose Representatives form the Assembly.

If the required number of ratifications shall not have been obtained within twenty-two months after the vote of the Assembly, the proposed amendment shall remain without effect.

The Secretary-General shall inform the Members of the taking effect of an amendment.

Any Member of the League which has not at that time ratified the amendment is free to notify the Secretary-General within a year of its refusal to accept it, but in that case it shall cease to be a Member of the League.

APPENDIX B.

SELECT LIST OF BOOKS.

A—Information regarding historical points alluded to in the text may be gained from such books as:—

Breasted: Ancient Times (Heath).

Grant: History of Europe (Longmans).

Wells: Outline of History (Cassell).

Ramsay Muir: Short History of the British Commonwealth (George Philip).

B—Teachers and other readers who desire to study the subject more thoroughly should make use of the following valuable series of booklets issued by the Information Section of the Secretariat of the League of Nations at Geneva at the price of six pence each (postage extra):—

The Covenant of the League of Nations.

The League—Its Constitution and Organisation.

The Permanent Court of International Justice.

The Financial Administration and Apportionment of Expenses.

The Work of the Financial and Economic Organisation.

The Financial Reconstruction of Austria.

The Saar Basin and Free City of Danzig.

The Political Activities of the League.

The League and the Reduction of Armaments.

The Health Organisation of the League.

The League of Nations and Minorities.

Communications and Transit.

Social and Humanitarian Work of the League.

The League and Intellectual Co-operation.

C--The following are very useful books on international problems and League questions:—

Sir G. Butler: Hand-book to the League of Nations (1919).

C. Phillipson: International Law and the Great War (1915).

Burns: International Politics (1920).

Duggan: The League of Nations (1920).

Gilbert Murray: The Covenant Explained.

Heutley: Diplomacy and the study of International Relations (1919).

Hobson: Problems of a New World (1921).

Keen: Towards International Government (1923).

Ferrero: Problems of Peace from the Holy Alliance to the League of Nations (1919).

Fry: Key Book to the League of Nations (1923).

P. J. N. Baker: The Geneva Protocol (1925).

Reth Williams: The League, the Protocol and the Empire (1925).

Sir F. Pollock: The League of Nations (1922).

Viscount Bryce: International Relations (1923).

Wilson Harris: What the League of Nations Is? (1925).

Noel Baker: The League of Nations at Work (Nisbet) 1927.

Holland Rose: The Indecisiveness of Modern War (Bell) 1927.

R. M. MacIver: The Modern State (Oxford) Revised, 1927.

W. McDougall: Janus, or the Conquest of War
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